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**AN**  
**ACCOUNT**  
Of the Isle of  
**JERSEY.**

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**This may be Printed.**

*Novemb. 28.*

1693.

**EDWARD COOKE.**

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R. H. 74. 129

A N  
**ACCOUNT**  
Of the Isle of  
**JERSEY,**  
The Greatest of those Islands that  
are now the only Remainder of the  
**ENGLISH DOMINIONS**  
I N  
**FRANCE.**  
W I T H

A New and Accurate MAP of the Island.

By *PHILIP FALLE*, M. A. Rector of  
St. SAVIOUR in the said Island, and  
Chaplain in Ordinary to His Majesty.

At the Parliament holden at *Westminster*, the  
*Wednesday* next after the Translation of  
St. Thomas the Martyr, *an. 14. Edw. III.*

*Remembrances for the King, &c.*

To keep the Sea, and to purvey for the Navy, and  
to defend the Isles of JERESEY, and *Guernsey*.

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Sir Robert Cotton's Abridgment  
of the Records in the Tower  
of London, fol. 29. n. 28.

L O N D O N,

Printed for John Newton, at the Three Pigeons, over-  
against the Inner-Temple-Gate, in Fleet-street, 1694.



2095:12

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TO THE  
KING.

SIR,

**T**He Design of this  
Book, humbly  
laid

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*The Epistle Dedicatory*

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laid at YOUR MAJESTY's Feet, is to give some Account of an Island, which, tho' subject to Your Royal Predecessors upwards of Six hundred years, and seated in the *Channel*, is less known than some other of YOUR MAJESTY's Dominions and Islands, that are latter Acquisitions, and remov'd to a greater Distance. The Knowledge of Us may be

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*to the* KING.

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be of some Use to  
**YOUR MAJESTY's**  
Service, and may mi-  
nister to some of those  
Great Ends of Provi-  
dence for which God  
has rais'd You up, and  
which are one day to  
be wrought by Your  
Means.

Ever since our Anci-  
ent **DUKES** exchang'd  
their Coronet for that  
Imperial Crown which  
**YOUR MAJESTY**  
now

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## *The Epistle Dedicatory*

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now wears, we have been noted for Our Fidelity to Our KINGS. We Glory not in the Extent or Riches of Our Country, which cannot be brought into Parallel with the meanest of those Provinces that constitute Your Great Empire; but we Glory in Our Loyalty, which we have kept unblemish'd to this Day.

What

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*the the KING.*

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What profound Veneration then must we now have for a Matchless Pair of Incomparable Princes whom God has given to these Nations in his Love?

That Heaven would preserve YOUR MAJESTY from the many Dangers to which You daily expose Your Sacred Person, and crown with Success the Justice of Your Arms,  
is

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*The Epistle Dedicatory, &c.*

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is the hearty Prayer  
of,

May it please **YOUR MAJESTY,**

**YOUR MAJESTY'S**

*Most humble and most faithful*

*Subject and Servant,*

**Philip Falle.**



# T H E P R E F A C E.

**T**HE Island of JERSEY (*with the Others adjacent*) is of that Importance to England, and the Loss of it would be attended with Consequences so prejudicial to this Crown, that 'tis fit the Nation should understand the Interest it has in the Preservation of that Place, which, of all other Their Majesties Territories, is, by its Vicinity to France, the most exposed to an Invasion from thence. Therefore, I presume, it will not be so much wondered at that an Account should be given of it now, as that none should have been given heretofore.

The only thing that has appeared in Print concerning this Island, besides what is found scattered in Cambden (a) and others (b), is Dr. Heylin's Survey (c) containing the Relation of a Voyage which he made to JERSEY and Guernzey, in the Year 1628. We must own the Doctor's candid

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(a) De Insulis Britannicis, p. 854.  
(b) Hollingshead's Description of Britain. p. 31.  
and Speed's Thea-

## The PREFACE.

tre of Great  
Brit. l. i. Ch.  
48. p. 94.  
(c) Survey of  
the Estate of  
the twolllands  
Guernzey, and  
JERSEY with  
the Isles appen-  
ding; accord-  
ing to their  
Polity and  
Forms of Go-  
vernment  
both Ecclesia-  
stical and Ci-  
vil. By Peter  
Heylin D. D.  
London, 1656.

(†) These I-  
lands have  
Conformed  
since.

*and ingenuious dealing in the Report he gives of Us, tho' being a Stranger, and sojourning but Six days in JERSEY, he could not so thoroughly acquaint himself with our Constitution: The want of a due Knowledge whereof has led him into some Errors, not to mention the greater Defects of that Work. For having written that Book only for the Use of Archbishop Laud, then Bishop of London, and without any design of making it Publick (as appears in that it was not Printed till after the Archbishop's Death, viz. Anno. 1656, almost Thirty years after it was written) 'tis evident he aimed not so much at an Account of Us, as we are a Frontiere and a Garrison, under which Notion we ought chiefly to be considered now, as to lay before that great Prelate the State of Religion in these Islands, in Order to bring them to a full Conformity to the Church of England: The Presbyterian Government being then established in Three of them, Guernzey, Alderney, and Serck (†). However, in the main, we have reason to be satisfied with his undertaking; and to applaud our selves in the Character he gives of Us in relation to these great Points, viz.*

*Our*

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## The P R E F A C E.

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*Our constant Affection to the English Nation, our just aversion to the French, our inviolable Fidelity to the Crown to which we are United, and the great advantage these Islands are of to England for the security of the Channel.* These Islands, says he, (d) are the only remainder of our Rights in Normandy, unto which Duke-  
(d) Survey, p. 293.

dom they did once belong. Ever since they were annexed unto the English Crown, they have, with great Testimony of Faith and Loyalty, continued in that Subjection. The Sentence, or Arrest of Confiscation given by the Parliament of *France* against King *John*, nor the surprisal of *Normandy* by the French Forces, could be no perswasion unto them to change their Masters. Nay, when the *French* had twice seized on them during the Reign of that unhappy Prince, and the State of *England* was embroyled at home, the People valiantly made good their own, and faithfully returned unto their first obedience. In after-times as any War grew hot betwixt the *English* and the *French*, these Islands were principally aimed at by the Enemy, and sometimes also were attempted by them,

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## The PREFACE.

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but with ill Success. And certainly it could not but be an Eye-fore to the *French* to have these Islands within their Sight, and not within their Power; to see them at the least in possession of their ancient Enemy the *English*, a Nation strong in shipping, and likely by the opportunity of these Places to annoy their Trade. For if we look upon them in their Situation, we shall find them seated purposely for the Command and Empire of the Ocean. The Islands lying in the chief Trade of all Shipping from the Eastern Parts unto the West, and in the middle way between *St. Malo's* and the River *Seine*, the only Traffick of the *Normans*, and *Parisians*. At this *St. Malo's*, as at a common Empory, do the Merchants of *Spain* and *Paris* barter their Commodities; the *Parisians* making both their passage and return by these Isles; which, if well aided by a small Power from the King's Navy, would quickly bring that Inter-course to nothing. An opportunity neglected by Our former Kings in their Attempts upon that Nation, as not being then so powerfull on the Seas as now they are,  
but

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## The P R E F A C E.

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but likely for the future to be husbanded to the best advantage, if the *French* hereafter stir against Us. Sure I am that my Lord *Danby* conceived this Course of all others to be the fittest for the improving, if not undoing of the *French*; and accordingly made Proposition by his Letters to the Council, that a Squadron of Eight ships might be employed about these Islands for that purpose; an Advice which had this Summer took effect, had not the Peace betwixt both Realms been so suddenly concluded. *And a little after speaking of the great Priviledges granted by the Kings of England to the Inhabitants of these Islands, he adds* (c) (c) *Page. 294.*

These Priviledges and Immunities, seconded of late days with the more powerfull Band of Religion, have been a Principal occasion of that Constancy wherewith they have persisted faithfully in their Allegiance, and disclaimed even the very name and thought of *France*. For howsoever the Language which they speak is *French*, and that in their Original, they either were of *Normandy*, or *Bretagne*, yet can they with no Patience endure to be accounted *French*, &c. Thus far Dr. Heylin. B 3 But

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## The PREFACE.

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*But a Native of these Islands being much fitter to give the World a full and exact Account of them, than one that had but a Transient view of them, and that wrote but on the Information of others, that Task was some years since undertaken by Mr. Poingdestre a Gentleman of JERSEY lately Deceased, one of the Jurats of the Royal Court of that Island, and one admirably accomplished for such a Design. For besides that he was a Person of universal Learning, he came to it with this peculiar advantage, that he had an accurate Insight into the Laws, Customs, and Priviledges of this Island, and had made such a Collection of Antiquities relating thereunto, as well from Printed Books as from Original Papers and Records, especially those of the Tower and Exchequer (to which he had easie Access in the time of his Attendance on the Court during the Reign of King Charles I.) that I believe few things worthy of Observation escaped his Sedulity and Enquiry. The Book was long since ready for the Press, but has never appeared otherwise than in private hands, for what reason I cannot certainly tell.*

*It*

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## The PREFACE.

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*It was my<sup>n</sup> good Fortune to procure a Transcript of it in the time of the Author, who was my Neighbour and my singular good Friend; to which his Son has since added a Supplement of other usefull Manuscripts found among his Father's Papers, with full Power to Publish them as my Own. But I am not so vain as to Arrogate to my self the Praise due to another Man's Labours. Therefore I do freely acknowledge that, in the present Work, I do but write after that excellent Man's Copy; And tho' I allow my self the Liberty of altering his Method, supplying his Omissions, and leaving out, or but slightly glancing at some things which he more largely insisted on; and, in a word, making such Changes in the whole, as that to any One that considers both, they may appear to have been different Designs; yet still I must own that the Foundation on which I build is His, and a great Part of the Materials employed in this Work are His also.*

*I have likewise received some help from those imperfect Notes which Philip Dumaresq Esquire, Seigneur of Samares, another of the Magistrates of JERSEY, and a very ingenious and inquisitive Per-*

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## The PREFACE.

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son, imparted to me some time before his Decease. He had begun a Survey of this Island, and had made a good Progress in it, but Death gave him not leave to finish it.

Let none despise this Work, because it Treats of a Country of so narrow an Extent, and that makes so little noise in the World. For as the Power and Wisdom of God are no less seen in the Production of the smallest Insects, than of the more glorious Parts of the Creation, so his Providence is no less to be admired in the Preservation of the smallest States, than of the greatest Empires of the Universe. Indeed it must be a Matter of Astonishment to any considering Man, that, in the space of almost Eight hundred years, wherein strange Vicissitudes have happened in the most powerfull Monarchies, scarce any sensible Change has been felt in this Island; unless it be that of Religion, which (God be thanked) we have no reason to be sorry for. But if ever the mighty hand of God was seen in any thing, 'tis in that wonderfull Deliverance he has wrought for Us, throughout the Succession of so many Ages, from a Formidable Enemy, that lies in a  
Manner



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## The PREFACE.

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*Manner contiguous to Us, and which, in that long Period of Tears, has neglected few Opportunities of increasing its Dominions, and dilating on every side-its Frontiers. Every one that reads this knows I mean the French, to whom the slightest Pre-  
tence has been always Ground enough to invade their Neighbours, and who could have wanted none such to invade Us (oftner than they have done) had not the same God that stills the Raging of the Sea, and bids it go thus far, and no farther, set a Bound to their Usurpations and Encroachments on this Side. What vast Acquisitions have they not made in those Eight Hundred Tears? How many Battels have they fought! And how many Victories have they won! They have reduced those goodly Provinces, which were once part of the Ancient Gaul, but had been erected into distinct Sovereignties, which are now reunited to that Crown: As Bretagne, Provence, Dauphiné, Burgundy, Lorraine, and others. They have regained those which the English with so much Glory, and at the Expence of so much Blood, had won from them heretofore; or which were the  
old*

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## The PREFACE.

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*old and undoubted Patrimony of our Kings; or had been acquired by Alliances and Marriages with the Heiresses of those Provinces, as Normandy, Poitou, Anjou, Maine, and Aquitaine. They have pierced through the Pyrenées, and the Alps, and carried their Arms into the Bowels of Italy. They have passed the Meuse and the Rhine, and made their Cannon to be heard in Bruffels, and Amsterdam. They have improved their Navigation to a Degree, as strikes a Terrour into other Nations; and they who once knew little beyond their own Coasts, cover now the Ocean with Mighty Fleets, and have enlarged their Empire beyond some of the remotest Seas. And yet these very Men that used to be attended with such wonderfull Success, have been always defeated in their Attempts on this Island; as if that small and narrow Current, that divides our Shore from their Continent, had, by some secret Order of Heaven, been decreed to be a Stop to their Conquests, which, on all other Sides, have forced the strongest Barrieries of Nature, and whose swift Progress, neither Hills, nor Rivers, nor Seas have been able to obstruct. I think every one that owns the Providence of God*

*in*

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## The P R E F A C E.

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*in the Care and Government of the World, must acknowledge something Extraordinary in this, and must give him the Honour and Glory of our Deliverance.*

*'Tis indeed a singular Mercy of God, that, in all this time, we have not been swallowed up by a Power that has oppressed so many States of Europe, and those much more powerfull, and at a greater Distance than We. For besides the Loss of our Civil Liberties, and falling under a Toke so uneasie to all that bear it, what could we expect but the Loss also of what is infinitely more Valuable to Us, viz. Our Holy Religion, and a deep Share in those horrid Persecutions that have laid Wast a most flourishing Church, and have forced some Hundred Thousands of innocent People to quit their Habitations, and seek in Foreign Countries that Liberty of serving God according to their Consciences, which they were not suffered to enjoy at home ? Whereas by our remaining united to the Crown of England, We live under a most easie and gentle Government : We are subject to a most mercifull Throne, from which we derive infinite Acts of Grace and Favour, and to which we are never denied Access*

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## The PREFACE.

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*cess under our Pressures : We enjoy the best Religion, and have Communion with the best Reformed Church in the World.*

*May that Great God who presides over Human Affairs, and in whose Hands are the Fates of Nations, continue these Blessings to Us, the Inhabitants of this Isle ; and may we ever w<sup>ork</sup> worthy of them ! May we, so long as the World endureth, remain united to that Crown, from which, under God, these Blessings flow to Us ! May Their Majesties, by great and repeated Victories, soon reduce their Enemies into a Necessity of Defending their own, instead of invading the Dominions and Territories of others ! And may the whole English Nation be excited into a generous Compassion of those Dangers that surround Us, and be wrought into a Belief that we cannot perish without, at least, a great Diminution of their Glory !*

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 *The Reader may take a Character of that Great Man, mentioned in the Preface, from the following Inscription engraven on a fair Monument set up for him in the Parish-Church of St. Saviour, where he lies Interred.*

D. O. M. S.  
JOHANNES POINGDESTRE Armiger,

Heic juxta situs,  
Vir, dum viveret,

In omni Scientiarum genere eruditissimus,

Utriusq; præsertim juris peritissimus,

Græcicis litteris ita doctus,

Ut præcis illis Athenis oriundum, natum, diceres.

CAROLO PRIMO Sanctissimo Regi & Martyri

Diu ab Epistolis.

Quo casu,

Post horrendos Bellorum Civilium motus,

Quibus, Regiis partibus constanter addictissimus, interfuit,

Huc remeans,

In amplissimum Senatûs nostri ordinem ascitus,

Olim etiam Vice-Ballivus,

Multis maximisq; exemplis editis,

Pietatis in Deum & Ecclesiam,

Fidei in Principem,

Charitatis in Patriam,

Omnigeni Officii in Singulos,

Bonis hisce Artibus senescens,

Ad summam ætatem provectus,

Maturus Cœlo,

Desideratissimus Terris,

Placidissimâ tandem morte obdormivit in Domino,

IV<sup>o</sup> Non. Sept. Anno Dom. MDCXCI.

Ætatis LXXXIII.

Patri Optimo, Amantissimo,

Exiguum hoc Pietatis Μνημόσυνον,

Mœrens Filius,

CAROLUS POINGDESTRE,

P. C.

THE

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THE  
CONTENTS.

CHAP. I. *A Short History of  
the Island.*

CHAP. II. *Description of the  
Island.*

CHAP. III. *Military Government.*

CHAP. IV. *Civil Jurisdiction.*

CHAP. V. *Religion.*

CHAP. VI. *Convention of the  
Estates.*

CHAP. VII. *Priviledges.*

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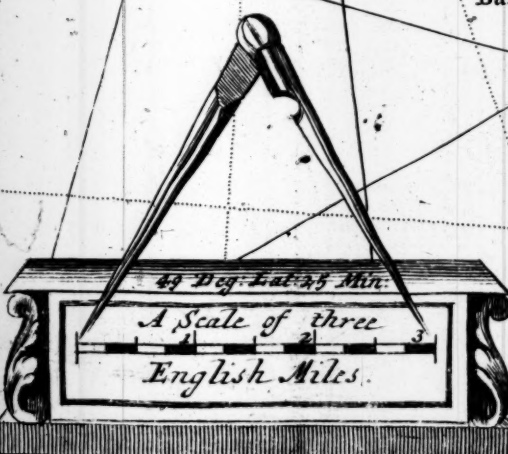
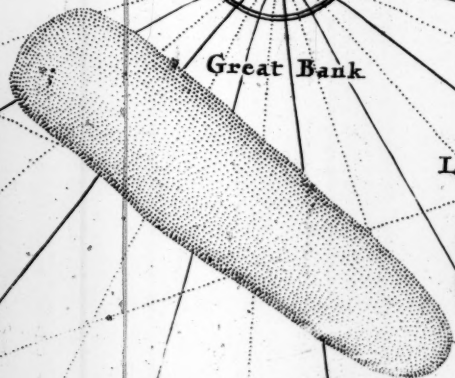
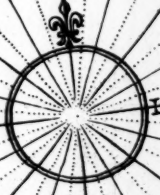
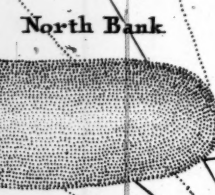
The Arms and Seal of the  
Island and Bayliwick of  
**J E R S E Y.**  
Given by K. Edward I. Anno Regni 7<sup>o</sup>.



Pierres de Lecq  
or Pater noster

Gules Three Leopards passant guardant Or.

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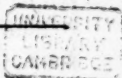


The Numeros in the  
Several Vintaines  
or Tythings shew  
the Number of the  
Habitations or Houses  
in each Vintaine.

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A N  
ACCOUNT  
Of the Isle of  
JERSEY.

CHAP. I.



*A Short History of the Island.*

WE have no certain Account when, Chap. I.  
or by whom, this Island was first *History of*  
Inhabited: Which will not seem *the Island.*  
strange to any that considers the  
great Uncertainties of Primitive Plantations.  
We want not our Legend, which may't per-  
haps deserve as good Credit, as those where-  
on some of the Greatest Nations build their  
Fabulous Original.

This seems to be more certain ; That this  
Island was known, and in some esteem, in the  
time of the *Romans*; as appears from the Em-  
peror



**Chap. I.**  
**History of**  
**the Island.**

(a) Itinerarium Provinciarum omnium Antonini Augusti. Paris. 1512.

pag. 89. De Mari Oceano

Gallico & Britannico. In Mari Oceano quod Gallias & Britannias interluit; Insula Orcades, Insula Glota, — Vesta, Riduna, Sarmia, (ceu Sarnia) CÆSAREA, &c. (The three last are Alderney, Guernsey, and JERSEY.)

peror *Antoninus* his Itinerary (a), where it is mentioned under the Name of *CÆSAREA*, (tho' 'tis uncertain again from which of the *Cæsars* it was so called) and as appears likewise from the Remains of Roman Camps and Fortifications yet to be seen in this Island: One of those Fortifications being by Ancient Tradition called to this Day, *La petite Cæsaree*, no doubt, because it was a Camp of one of the *Cæsars*.

(b) Camden de Insul. Britan. pag. 854.

The Modern Name of *JERSEY*, *GERSEY*, or *GEARSEY*, is thought to be but a Corruption of that of *CÆSAREA* (b): For *ey* in the the Language of those Northern Nations which over-run *Europe* about a Thousand Years ago, signifies an *Island*, as in the word *Angles-ey*, (i. e. the Isle of the *Angles*) And *Fer*, *Ger*, or *Gear*, is a Contraction of *Cæsar*, as in the Name of *Cherburg*, or *Gerburg*, an Ancient Town of *Normandy*, so called from the Latin *Cæsaris-Burgum*. *JERS-EY* is as if one should say, *Cæsar's Island*.

It was also some time known under the Name of *AVGIA*: For so it is called in that Donation which *Childebert* King of *France*, who reigned from the Year 511 to 558, made of this, and the other Islands, to *Sampson* Archbishop of *Dol* in *Bretagne*: Which Donation is found in the Life of that Bishop, an Ancient MSS preserved in the Archives of *Dol*, and

atte-

attested by *Dargentré* (c). And so likewise it is called in an old Fragment taken out of the *History* of *Abby of Fontenelles* in *Normandy*, mentioned by *Du Monstier* in his *Neustria Pia* (d), and

extant in the third Tome of *Andreas du Chêne* his *Scriptores Coetaneni Histor. Franc.* In which Fragment, near as ancient as *Charlemagne*, 'tis said concerning *Geroaldus* Abbot of *Fontenelles*, that, *Is quadem Legatione fungebatur jussu Caroli Augusti, in Insulam cui nomen est AUGIA, & est adjacens Pago Constantino.* i. e. That he was then discharging the Office and Function of Imperial Legate, by Command of Charles the Great, in an Island whose name was *AUGIA*, and is adja-

cent to the Town of *Coûtance* [in *Normandy*.] 'Tis very plain that this *AUGIA*, where *Geroaldus* was sent, could be no other than *J E R S E Y*; which lies directly opposite to, and within view of *Coûtance*, and is usually known and described in ancient Writers by that very Character. Thus *Gregorius Turonensis* (speaking of *J E R S E Y*) calls it;

*Insulam Maris quod adjacet civitati Constantinae* (e): *Aymonius Monachus*, calls it *Insulam Maris, quæ adjacet Constantiæ* (f). *Papirius Massonius*, *Insulam*

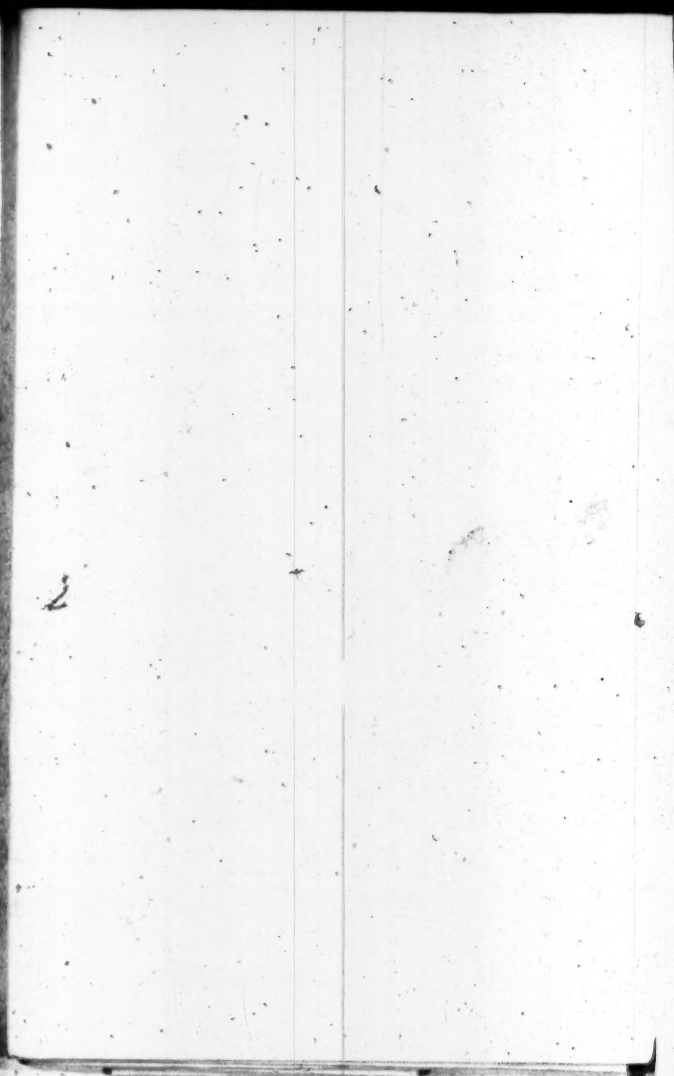
(c) *Hist. de Bretagne Lib. I. Ch. XXVIII. p. 132. A cest Archevesque [viz. St. Sampson] Childebert donna quelques Isles & Terres en Normandie, de Rimoul, Augian, Sargian, & Vefargian, qui estoient Isles en la coste; Car je trouve tout cela aux Vieilles Lettres.* [These Isles of Rimoul, Augian, Sargian, and Vefargian, are the same that are now called *Arme, J E R S E Y, Serk, and Guernezey.*]

(d) *De Abbatiâ Fontanell. pag. 155. Ex Libro Miraculorum S. Wandregisilli Abbatis Fontanellæ.*

(e) *Histor. Franc. Lib. 1. Cap. 18.*

(f) *De Gestis Franc. Lib. 3. Cap. 26. pag. 99.*

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C H A P. I.

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It was also some time known under the Name of *AUGIA*: For so it is called in that Donation which *Childebert* King of *France*, who reigned from the Year 511 to 558, made of this, and the other Islands, to *Sampson* Archbishop of *Dol* in *Bretagne*: Which Donation is found in the Life of that Bishop, an Ancient MSS preserved in the Archives of *Dol*, and atte-



attested by *Dargentré* (c). And so likewise it Chap. I. is called in an old Fragment taken out of the *History* of Abby of *Fontenelles* in *Normandy*, mentioned *the Island*. by *Du Monstier* in his *Neustria Pia* (d), and

extant in the third Tome of *Andreas du Chêne* his *Scriptores Coëtanèi Histor. Franc.* In which Fragment, near as ancient as *Charlemagne*, 'tis said concerning *Geroaldus* Abbot of *Fontenelles*, that, *Is quædam Legatione fungebatur jussu Caroli Augusti, in Insulam cui nomen est AUGIA, & est adjacens Pago Constantino. i. e. That he was then discharging the Office and Function of Imperial Legate, by Command of Charles the Great, in an Island whose name was AUGIA, and is adjacent to the Town of Coûtance* [in *Normandy*.]

'Tis very plain that this *AUGIA*, where *Geroaldus* was sent, could be no other than *JERSEY*; which lies directly opposite to, and within view of *Coûtance*, and is usually known and described in ancient Writers by that very Character. Thus *Gregorius Turonensis* (speaking of *JERSEY*) calls it;

*Insulam Maris quod adjacet civitati Constantinæ* (e): *Aymonius Monachus*, calls it *Insulam Maris, quæ adjacet Constantiæ* (f). *Papirius Massonius*, *Insulam*

(c) *Hist. de Bretagne Lib. I. Ch. XXVIII. p. 132. A cest Archevesque [viz. St. Sampson] Childebert donna quelques Isles & Terres en Normandie, de Rimoul, Augian, Sargian, & Vefargian, qui estoient Isles en la coste; Car je trouve tout cela aux Vieilles Lettres.* [These Isles of *Rimoul*, *Augian*, *Sargian*, and *Vefargian*, are the same that are now called *Arme*, *JERSET*, *Serk*, and *Guernsey*.]

(d) *De Abbatiâ Fontanell. pag. 155. Ex Libro Miraculorum S. Wandregisilli Abbatis Fontanellæ.*

(e) *Histor. Franc. Lib. 1. Cap. 18.*

(f) *De Gestis Franc. Lib. 3. Cap. 26. pag. 99.*

CON.

Chap. I.  
History of  
the Island.

(g) Annal. Lib.

I. p. 52.

(h) Hist. Franc.

Lib. I. pag. 1.

in Chilperic.

*Constantini Littoris* (g). and *Gaguinus, Insulam Constantianæ Diœcesis* (h). The Learned Mr. Poingdestre is of opinion that the Name of *AUGIA* is the ancient Name of this Island, and that it was so called among the old Natives, and Neighbours (the *Lexobii* and *Armorici*, who inhabited *Normandy* and *Bretagne*) long before the Romans called it *CÆSAREÆ*, and the Normans corruptly after them *JERS-EY*; and that this Name was also for some Ages after continued among them. However that of *CÆSAREÆ*, or *JERS-EY*, has in length of time quite prevailed, and out-worn the other.

*AUGIA* has been the ancient Name of other Places. In *Homer*(i) we find '*Αυγία ἰεγ-τεῖν*, i. e. The lovely *AUGIA*. It was a Town of the *Locrians* in Greece. And to this day a part of *Normandy* is called *Normannia Augiaca*, i. e. *Le Pais d'Augie* (k).

(i) *Iliad.*

*Lib. II.*

(k) *Robertus*

*Cœnalis de Re*

*Galic. Lib. II.*

*Perioch 5.*

*Ludovicus de AUGIA, & Johannes de AUGIA, Abbates Cornetvillæ. Diac. Rothomag. an. 1230. & 1472. Neustria Pia, pag. 877.*

This Island was, in Old Time, Parcel of the Province of *Neustria* (corruptly so called for *Westria*, *Westenrick*, or *West-France*, because seated on the most Western shore of the great Empire of the *Franks*, which extended from the Sea to the Banks of the *Danube*; as the more Eastern part was called *Austria*, *Oostenrick*, or *East-France*,) and with the

the rest of that great and rich Province Chap. I. was given to *Rollo* and his *Normans*, Originally *Danes* and *Norwegians*, who from their own Name called the said Province *Normandy*: Given (I say) by *Charles IV*, surnamed *the Simple*, King of *France*, in the Year 912: From which time to this, this Island never returned to that Crown, as the rest of that Province hath since done; tho' it was not added to the Crown of *England* till the Year 1066, when *William* surnamed the *Bastard*, and the sixth Duke of *Neustria*, or *Normandy*, from *Rollo*, invading *England* and Conquering it, transferred that Dukedom, and with it this Island to the English Diadem. By which account it appears, that, reckoning from this present time 1693, it is not less than 781 years since this Island was dismembred from the Crown of *France*, by the Donation of *Charles the Simple*: that it hath been 154 years under the Descendants of *Rollo*, while they continued Dukes of *Normandy* only; and that 'tis 627 years since 'tis subject to the Kings of *England*.

This gives the Inhabitants of this Island, the Preference in point of Antiquity, to most others of Their Majesties Subjects; *Ireland* not being subdued till the Reign of *Henry II*, nor *Wales* reduced till that of *Edward I*, nor *Scotland* united till the beginning of this last Century; to say nothing of Foreign

Chap. I.  
*History of  
 the Island.*

Plantations which are yet most of them of a later Date. I speak not this to derogate from the Honour of Kingdoms and Principalities which do vastly exceed Us in Expansion of Country, and have brought a far greater Addition of Power to the *English* Empire; but to shew Their Majesties ancient and indisputable Right over Us, together with that long and faithfull Subjection which our Fathers have paid to that Crown which Their Majesties derive from a Succession of so many Royal Progenitors.

We find but little in ancient History concerning this Island till the coming of the *Normans*, who struck such Terror in all places where they passed, that in the publick Litany, after these words, *From Plague, Pestilence, and Famine*, was added, *and from the fury of the Normans*, Good Lord, deliver us! By the advantage of their Shipping they ransackt the Maritime Coasts of *France*, burning and destroying all before them. They were *Pagans*, and therefore their Fury fell more remarkably on Churches and

Religious Houses, Persons and Things consecrated to God (1).

No place could be more open and exposed to their Incursions than this Island, where they committed the same horrid Outrages they did elsewhere; leaving Us, among others,

(1) E vitâ MSS. S. Viven-  
 tii Episcopi, Tom. III. Hist.  
 Gall. Scriptor. Coetan. pag.  
 435. Anno DCCCLXVIII. post  
 Ludovicum ac ceteros præpo-  
 tentes Reges, regnante Ca-  
 rolo Juniore, supra modum  
 grassata sunt undiq; Infesta-  
 tiones Paganorum: deficienti-

thers, this Monument of their Cruelty. There Chap. I.  
dwelt at that time in this Island a Devout and *History of*  
Holy man, famous amongst Us to this day for the Island.  
the Austerity of his Life, whose little soli-

tary Cell hewn out of the hard  
Rock is yet to be seen in a  
small Islet close by *Elizabeth*  
*Castle*: His name *Helerius*, or  
*Helier*, mistaken by some for  
*St. Hilary* Bishop of *Poitiers*,  
who was never here (m). Him  
the Normans slew at their com-  
ing into this Island, adding  
thereby, to other things which  
this Island Glories in, the ho-  
nour of having given a Martyr  
to the Church. For under that  
Name we find him Recorded in  
the Kalendar or Martyrology of  
*Contance*; in these words, XVII.  
*Kalend. Aug. Constant. in Nor-*  
*mannia. Festum St. Helerii Mar-*  
*tyris à Wandalis in GERSEIO*  
*Insulà occisi.* And the Author of  
*Neustria Pia* speaks thus of him,  
and of the place of his Martyr-  
dom, (n) GERSEIUM, GER-  
SOIUM, seu GRISOGIUM,  
vulgò GERSE', *Insula est ad*  
*Mare oceanum, Diœcesis Con-*  
*stantiensis; in quam S. Prætextatus Archie-*  
*piscopus Rothomagensis, postea Martyr, re-*  
*legatus est, an. 582. Illustrior autem haberi*

*bus tam Regum quam catero-*  
*rum nostrorum Principum ad re-*  
*pugnandum viribus. Ergò vul-*  
*gari Plebe passim gladio & sa-*  
*me percunte, igne pariter con-*  
*cremabantur hominum res &*  
*edificia quaque, præcipueque*  
*Sanctorum loca, & Ecclesiæ U-*  
*niversa; earum verò Ministri,*  
*id est, Clerici & Monachi cru-*  
*delius damabantur; Altaria*  
*funditus eversa dehonestaban-*  
*tur, Sepulcra etiam Sanctorum*  
*absq; Reverentiâ violaban-*  
*tur; Siquidem hæc Clades sicu-*  
*ti primitus ita acerbius in IN-*  
*SULIS seu Territoriis Occiden-*  
*talibus ac mari contiguis desa-*  
*viit, &c.*

(m) *Cambd. de Inf. Brit. p.*  
*854. Sanctum Hilarium Pi-*  
*etaviensem Episcopum huc re-*  
*legatum, & Sepultura tradi-*  
*tum, ferunt.*

(n) *In S. Helerio, Cap. I.*  
*pag. 712.*  
*Vid. etiam Andreæ Saussay.*  
*Episcop. Tull. Martyrolog.*  
*Galic. 16 Julii.*

Chap. I.  
History of  
the Island.

*cæpit ex quo S. Helerius illic à Wandalis Martyrii palmam accepit; Nam in honorem hujusce Incliti Athletæ Christi constructa est insignis Abbatia, à Domino Guillelmo Hamonis, viro nobili & antiqui Stemmatis apud Neustrios Heroe, in quâ Canonicos Regulares Ordinis S. Augustini posuit; ac tandem ipse excessit è vitâ 21 Novembris; cujus sic Meminit Obituarium Cæsaris-Burgi, XI Calend. Decemb. Guillelmus Hamonis qui fundavit Abbatiam S. Helerii in GERSOIO.* These *Wandals* from whom *St. Helier* received the Crown of Martyrdom, were no other than *Normans*, those Names being used promiscuously. But of this famous Abby erected to his Memory, there is not a stone left standing. It was built in the same place where is now the lower Ward of *Elizabeth Castle*. So much as was left of that ancient Building was pull'd down *An. 1691.* to enlarge the Parade. From this Holy man the chief Town in the Island is called *St. Helier*. His Martyrdom must fall about the Year 857.

After that *Rollo* and his *Normans* were peaceably settled in *Neustria*, and in these Islands, by Agreement with *Charles the Simple*, that wild Nation mixed it self with the Old Inhabitants, grew Civilized, and embraced Christianity; and this Island enjoyed great Tranquility under the Government of those Dukes that succeeded *Rollo*, and who fill up the whole space betwixt him and *William the Conqueror* in the Order following.

**ROLLO** first Duke of *Normandy*, who

at his Baptism took the Name of *Robert*.

**WILLIAM** Sirnamed *Longue Espée*, from his long Sword, Son of *Rollo*.

**RICHARD I.** the Son of *Longue Espée*.

**RICHARD II.** Son of *Richard I.*

**RICHARD III.** Son of *Richard II.*

**ROBERT** Brother of *Richard III.* This Duke preserved *Edward the Confessor* from the Fury of *Canute* the Dane who had invaded *England*, and slain *Edmond Ironside* Brother of *Edward*. He set out a powerful Fleet to restore him to his Kingdom; but being long detained by contrary Winds at *Guernезey* (o) he was forced to return to *Normandy*, *re infectâ*.

**WILLIAM II.** Bastard Son of *Robert*, Sirnamed the **CONQUEROR**, from his Conquest of *England*.

While the *Conqueror* lived, he kept *England* and *Normandy* as close linked together as their Situation would permit; residing sometime in the one, and sometime in the other. He died in *Normandy*, and lies buried at *Caen*, where I have seen his Tomb. 'Tis but a low plain Altar Tomb that has nothing of Magnificence in it. It stands in the middle of the Quire of the great Abby Founded by himself; and has two Inscriptions on it; one on each side; The first expressing the Quality of his Person, and the Union of *England* and *Normandy* under him (p): The other signifying how that Monument had been defaced by the *Huguenots* during the heat and rage of the Civil

Chap. I.

*History of the Island.*

*Vid. Gulielm. Gemeticens. de Ducibus Norman.*

*Tho. de Walsingham Tpodigma Neustriæ.*

(o) *Abrégé de L'Histoire de Normandie par un auteur Anonyme à Rouen, 1665.*

*Ch. III. p. 106.*

**WILLIAM**  
the **CONQUEROR**.

(p) *Qui' rexit rigidos Normannos atque Britannos, &c.*

Chap. I. Wars, and had been repaired by the Monks  
*History of the Island.* An. 1642.

Duke RO-  
 BERT Son of  
 the Conqueror.

After the Death of the Conqueror, *England* and *Normandy* were parted again; *England* falling to the Lot of *William Rufus* second Son of the Conqueror, who in the absence of ROBERT his elder Brother, seized the Crown, and kept it while himself lived; *Normandy*, with these Islands, remaining in the Possession of ROBERT, who made a shift to hold them during the Reign of his Brother *Rufus*. There was a Pact of mutual Succession betwixt the two Brothers. But *Rufus* being suddenly killed by the glance of an Arrow as he was hunting in the New Forest, while *Robert* was with *Godfrey* of *Bouillon* and other Noble Adventurers fighting against the *Sarrazins* for the recovery of the Holy Land, the Crown was again seized by *Henry Beauclerk*, third Son of the Conqueror, and so *Robert* twice one after the other excluded from the Succession of *England* by his younger Brothers. Still nevertheless he kept possession of *Normandy* and of these Islands. He was a brave, but unfortunate Prince. He won such Reputation in the Holy War, that after the taking of *Jerusalem*, he was, by common Consent of all the Princes in the Christian Army, chosen King of that newly conquer'd Kingdom: But having then the Crown of *England* in his eye, he declined that honourable Offer; after which, it has been observed that he ne-

ver



ver prospered. For at his return from the **Chap. I.**  
 Holy Land, he found not only that Crown, *History of*  
 which was his by Right of Primogeniture, *the Island.*  
 fast on the head of young *Beauclerk*, but  
 himself reduced to the necessity of defending  
*Normandy* against his Brother, who plainly  
 now endeavoured to out him of all. The War  
 grew hot betwixt them; in which the For-  
 tune of *Henry* prevailing, Duke *Robert* was  
 taken, his eyes put out, and himself impris-  
 oned in *Cardiff* Castle, where he languish-  
 ed about Twenty six years in great Misery,  
 till with the extreme Indignities his Brother  
 continued even then to put upon him, his  
 great Heart broke. The Body of this in-  
 jured Prince lies interr'd in the Cathedral  
 Church of *Glocester*, in as mean a Tomb as  
 that of his Father at *Caen*, for I have seen  
 both.

Were Men allowed to search into the  
 Counsels and Judgments of God, one would  
 be very apt to suspect, that the misfortune  
 which, sometime after, befell King *Henry*  
 in the loss of his Children, shipwrack'd in  
 their passage from *Normandy* to *England*,  
 was an effect of the Divine Vengeance and  
 Indignation for his Cruelty and Injustice to  
 his Brother. The young Princes (the eldest  
 of whom bore the Title of Duke of *Nor-*  
*mandy* (q); and with it the weight and load  
 of his Father's sin) were driven by the storm  
 among these Islands, and were cast away  
 upon *Casquet* (r), a dangerous Rock two

(q) *Abrégé de*  
*L'Hist. de Nor-*  
*mand. Ch. IV.*  
 p. 130.

(r) *Chronique*  
*de Normandie*  
*par Mesgissier.*  
 Ch. LII. p. 132.

Leagues

Chap. I. Leagues West of *Alderney*, where they miserably perisht.  
*History of the Island.*

After the Reduction of *Normandy*, and of these Islands, by *HENRY*, he declared them unalienable from the Crown of Eng-  
*HENRY I.* land (s): in which State they remained under the succeeding Reigns of,

*Speſtarunt olim*

*hæ Inſulæ ad Normanniam; ſed cum Henricus Primus, Rex Angliæ, Robertum fratrem Anno Chriſti MCVIII. debellâſſet, Normanniam & hæ Inſulas Angliæ Regno adjunxit.*

*STEPHEN.* *STEPHEN* of *Blois*; Grandſon of the Conqueror by his Daughter *Alice*.

*HENRY II.* *HENRY II.* Son of *Maud* the Empreſs, who was Daughter of *Henry I.*

*RICHARD I.* *RICHARD I.* Sirnamed *Coeur de Lion*, Son of *Henry II.*

But under the unfortunate Adminiſtration of King *JOHN*, who was Brother of *Richard I.*, and ſucceeded him in the Kingdom, the Dukedom of *Normandy* (tho' not theſe Islands) was loſt on this occaſion. *Henry II* had, among other Sons, theſe Three following.  
 (1.) *Richard*, to whom he left the Kingdom, and who died without Legitimate iſſue.  
 (2.) *Jeffrey*, who died in his Father's Life-time, leaving a Son called *Arthur*, Duke of *Bretagne*, in Right of his Mother: And,  
 (3.) *John* Count *de Mortain* in *Normandy*, afterwards King. Upon *Richard's* Death, the right of Succeſſion devolved on *Arthur*, his Second Brother's Son: But *John* ſtept in betwixt him and the Crown; whereupon the young Prince applies himſelf to *Philip*

*Auguſtus*

*Augustus* King of *France*, for Protection Chap. I.  
and Succour against his Uncle that had stript *History of*  
him of his Inheritance. The *French*, who have the *Island*:  
always found their advantage in our Civil Dis-  
tractions, and have accordingly always improved and fomented them, were glad of the opportunity offered. A Quarrel was pickt with King *John* on the Prince's account, but so managed that it soon appeared that perfidious Nation pursued their own ends more than the Interest of the Prince whose Title they had undertaken to defend: Which the Prince himself seeing, reconciled himself once to his Uncle; but that held not long. To be short, the poor Prince fell into the hands of the exasperated King, by whom he was shut up close Prisoner in the Castle of *Rouen* in *Normandy*, and soon after was found dead in the Castle-ditch; whether made away by the Jealousie of his Uncle, as some suspect, or that himself not brooking so severe a Restraint, and endeavouring to escape, perished in the Attempt, as is given out by others, is uncertain.

Upon this, *Philip Augustus*, to embroil more and more the King's Affairs, chargeth King *John* with the Murder of the Prince; and on pretence that he was his Vassal for what he held in *France*, cites him before the Parliament of *Paris* to answer the Accusation: Where, the King not thinking it consistent with his Dignity or Safety to appear, was condemned as a Felon, and as such declared

to

Chap. I.  
History of  
the Island.

to have lost and forfeited his Right to *Normandy*, and to all other Estates which he held as Fiefs of that Crown; which were seized accordingly; an Army being ready to execute the Summary Sentence; and the King's hands so full of other business at home, that he was forced to sit still, and see those fair Provinces torn from him, without being able to apply a sutable Remedy to so great an Evil.

The *French* having thus possessed themselves of *Normandy*, invaded these Islands. Twice they entred them, and twice they were beaten out of them again (t). The Inhabitants had under their Dukes contracted a great Aversion to the *French*, and stood stoutly on their own Defence. The King himself looking on them as the last Plank left of so great a Shipwrack, and that they would always serve to shew his Right to that Dukedom to which they had once belonged, and might perhaps one time or other be a means to recover it, resolved to keep them whatever they cost him; and accordingly hastned himself over hither, and was twice in Person in *JERSEY* (u): Which he caused to be fortified; and gave special Order for the Custody and Safeguard of the Castles (w) and Ports which before lay too open to the Enemy.

(t) Rot. Placit.  
coram Johanne de Fressingfield, &c. Justiciar. Itiner. in Insul. Anno 2. E. 2. Guilielmus Desmareys qui sequitur pro domino Rege allegat quod quidam Rex Francie exhereditavit Dominum Johannem Regem Anglie de ducatu Normannie, & tunc idem Rex Francie per

duas vices ejecerat predictum Dominum Johannem Regem, &c. de his Insulis, & illas occupaverat tanquam annexas predicto Ducatui. Et predictus Dominus Johannes Rex vi armata per binas vices reconquassavit has Insulas super ipsum Regem Francie, & a Secundo Conquesto

questo sua ipse & posteri sui Reges Angliæ Insulas istas tenuerunt hucusque, &c. (u) Rot. Edw. 2. (w). Constitutiones & Provisiones constitutæ per Dominum Johannem Regem postquam Normannia alienata fuit, &c. in Turri Lond. Artic. XVIII. Statutum est pro Tutitione & Salvatione Insularum & Castrorum, & maxime quia Insula prope sunt, & juxta Potestatem Regis Franciæ & aliorum inimicorum nostrorum, quod omnes Portus Insularum bene custodiantur; & Custodes Portuum Dominus Rex constituere præcipit, ne damna sibi & suis eveniant.

To this King therefore we owe our Pre. Chap. I.  
servation. From him we have many Excel- History of  
lent Laws and Priviledges, which he granted the Island.  
us at his being here, and which have been  
confirmed to us in after-times by his Succes-  
sors, Kings and Queens of England. Him,  
for that reason, we must consider as our spe-  
cial Benefactor; and whatever ill things may  
be otherwise said of him, must in Gratitude  
have a Veneration and an Esteem for his  
Memory.

K. John died An. 1216. His Son HEN- HENRY III.  
RY III. was so plagued by his Rebellious  
Barons, who had set up the Title of Prince  
Lewis of France, Son of Philip Augustus,  
against his Father and Him, (which preten-  
ded Title of Lewis was in right of his Wife,  
Daughter of the Queen of Castile, who was  
Sister of Richard I. and K. John) that to  
compound the matter, he was forced to quit  
his Title to Normandy, but never made any  
Cession of these Islands. On the contrary,  
he had so tender a regard to their Safety,  
that he issued forth his Royal Mandate to the  
Barons of the Cinque Ports (x), command-  
ing

(x) Mandatum  
est Baronibus de

Chap. I.  
History of  
the Island.

Quinque Por-  
tibus, quod si o-  
pus habuerit

(Ricardus

Grey Custos

Insularum) &

illud eis scire

fecerit, in ejus

auxilium veni-

ant, ita quod

Dominus Rex

eor, &c. T. Re-

ge apud West.

16 die Maij

An. Regni X.

(y) Matt. Paris. Hist. Angl. in Hen. III. Pag. 286.

EDWARD I.

In the time of K. EDWARD I, Son of Henry III, the French, enraged to see themselves Masters of the rest of Normandy, and not of these Islands, made a fresh Assault on them, but with no better Success than before. There is still to be seen in Ancient Records (z) the Provision that was made, by Order from the King, for the Widows and Orphans of such of the Inhabitants as were slain in the Repulse they gave to the Enemy, with Gratifications to others that had signalized themselves, or sustained any considerable Loss on that Occasion. Which Gratifications were among others, extended to some of the Clergy (a) who, in these Islands, have always been Examples to others of

Zeal

(z) Claus. 23.

E. 1. M. 6.

Cedul. Brevia

facta de Petiti-

onibus homi-

num GERES.

& Gernes. re-

tornatis de

Consilio in

Autumpno.

Vn. Regni Re-

gis E. 23. Vid.

Ryley's Placita

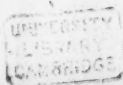
Zeal and Affection to the English Govern-  
ment. Parliamentaria in Appendix, pag.

467, &c. (a) *Ibid.* Edwardus, &c. dilecto & fideli suo, Henrico de Cobham Custodi Insular. de Gerneseye & GERESSEY, & ejus Locum Tenenti, Salutem. Quia accepimus quod Ecclesia S. Elirij in Insula de GERSEY vacat ad presens per Mortem Nicholai de Ponte quondam Parsonis ejusdem Ecclesie, & nos Ranulphum filium Petri Maret Clericum, quia gravis & diversa dampna sustinuit per Conflictum nuper habitum in predicta Insula inter Homines ejusdem Insule, & quosdam alienigenas inimicos nostros, gratiose prosequi volentes, vobis mandamus quod eidem Ranulpho Ecclesiam—præ aliis—præferatis—T. Meisso apud Westm. 29 die Augusti An. Regni nostri 23.

I shall pass over the Reign of EDWARD II, Chap. I. and come to that of EDWARD III, where-  
in some things more memorable occur concerning these Islands, in relation to the French. No sooner did K. Edward III. proclaim his Title to France, and thereupon a War ensued betwixt him and Philip de Valois, but the French, to make a Diversion, invaded these Islands again. Hugh Queriel Admiral of France, made a Descent upon Guernezey, An. 1339, (b) laid siege to Castle (b) MSS. Cornet, took it, and held it 3 Years. The Loss of that Island did but minister an Occasion to the Inhabitants of JERSEY, to shew their Fidelity to the Crown of England. They raised a Contribution of 6400 Marks (which was a great Summ in those Days for so small an Island,) for the Recovery of Guernezey; and upon the Approach of the English Fleet (under command of Reynold of Cobham, and Geffrey de Harcourt, who were sailing

History of  
the Island.

EDWARD II.  
EDW. III.



Chap. I.  
History of  
the Island.

failing into *Normandy* with Recruits for the King, and in their way were ordered to attempt the Reduction of *Guernzey*) went out, joyned the Fleet, and assisted the *English* in retaking both the Island and Castle of *Guernzey*: Many *JERSEY*-Men of Note losing honourably their Lives upon that Occasion; as the *Seigneurs de Vinchelez, de Matravers, des Augrez, de Garriis, de La Hougue, Lempriere*, and other Leaders named for their special Service, besides private Adventurers.

Not long after *Alain le Breton*, a famous Sea rover, infested both Islands, especially *Guernzey*; though rather in the way of Piracy, than of down-right Invasion. Of him it is that *Guillelmus Brito* an Ancient

(c) Lib. VII. Poet, speaks in his *Philippidos* (c).  
pag. 307.

*Et qui rostratis Navibus secat æquor Alanus,  
Piratas secum assumat, quibus utitur ipse  
Cum Grenesim rebus juvat expoliare.*—

(d) Sir Rob.  
Cotton's A-  
bridgment of  
the Records in  
the Tower of  
London, pag. 29.

So many repeated Hostilities of the *French* against these Islands had awakened the Parliament in *England*, and had produced a Resolution still extant upon Record (d) to move the King to set out his Fleet and provide for the Defence of the Isles of *JERSEY* and *Guernzey*.

Anno 1354, an Interview was agreed on betwixt K. *Edward*, and the King of *Navarre*, who was then fallen off from the  
*French*;



*French*; and the Place pitched upon by both Kings for that Interview was the Isle of JERSEY (e). Accordingly K. Edward sets out from the *Thames* towards JERSEY, with a Royal Navy, but by contrary Winds was put back to *Portsmouth*; where understanding that the King of *Navarre* had reconciled himself to the *French*, and declined the Meeting, he sailed to *Calais*, and we lost the honour we should have received from the Presence of those two Great Kings, and the Splendor of their Courts amongst Us.

Chap. I.

History of the Island.

(e) Sir Robert Cotton ut sup. pag 90.

While the Victorious *Edward* pursued his Conquests, and dyed the Fields of *Cressy* and *Poitiers* with the best Blood of *France*, these Islands were safe under the Protection and Shade of his Lawrels. But when, in the declining time of that great King, and after the Death of his Son, the Noble Prince *Edward*, commonly called the *Black Prince*, the Fortune of the *English* in *France* began to forsake them, these Islands were exposed to greater Danger than before. In the Year 1372. *Evans*, the pretended Prince of *Wales*, sailing from *Barfleur* in *Normandy*, with a Fleet of *French* Ships, Landed in *Guernezey* (f), but finding greater Resistance from the Castle than he expected, gave over the Design, and departed out of the Island. Four Years after, the two Admirals of *France* and *Castile*, attacqued the same Island (g). The *French* ransomed it for a Summ of Money; but the *Castilian* re-

(f) Hollingf.

head ad An-

num 1372.

pag. 407.

Froissard.

Tom. 1. Fug-

illet 247.

Histoire de

Bertrand du

D

turning,

Guesclin, Con- turning, carried away all he could. The  
 nestable de Strength, and brave Defence of the Castle,  
 France, par du being still the Preservation of the Island, and  
 Chastelet. L. 5. a means to keep it in the Possession of the  
 §. 12. pag. 205. English.  
 (g) *Chronique*  
 de Flandres,

*anciennement composée par Auteur incertain ; mise en Lumiere par Denis Sauvage de Fontenailles Historiographe du Roy Tres-Chrestien Henry II. a Lyon MDLXII. Ch. CIV. Pag. 217.*

Chap. I.  
 History of  
 the Island.

(b) *Histoire de*  
 Bertrand du  
 Guesclin.  
 L. 6. §. 6.  
 pag. 242.  
 Dargentré.  
*Histoire de*  
 Bretagne  
 L. 7. Chap. 263.  
 pag. 597.

Nor was JERSEY less exposed to these  
 Insults than *Guernезey*. Anno 1374, three  
 Years before K. Edward died, *Bertrand du*  
*Guesclin* (b) Constable of France, famous  
 for his many Victories over the English in  
 that unlucky Turn of their Affairs in France,  
 at the Head of an Army of above 10000  
 Men, wherein werethe Duke of Bourbon, and  
 the Flower of the French Chivalry, passed  
 suddenly from *Bretagne* into JERSEY, and  
 encamped before *Gouray* Castle, the same that  
 is now called *Mont- Orgueil*, into which the  
 Principal Persons of the Island had retired  
 upon landing of the French. The Siege last-  
 ed some Months, and was carried on with  
 great Bravery on both Sides; That Fortrefs  
 being as valiantly defended by those within,  
 as it was vigorously assaulted by those with-  
 out. After many violent Attacks, the Con-  
 stable withdrew, leaving many of his best Men  
 slain under the Walls. This was almost the  
 only Place, which, in that general Defecti-  
 on from the English, withstood the Arms  
 of that fortunate and renowned Comman-  
 der.

There

There had been, before this, a Treaty ; Chap I. wherein the King had laid down his Claim *History of* to Normandy ; but being deeply sensible of *the Island:* the Importance of these Islands, and much pleased with that constant Fidelity they had always expressed to him, he caused an especial Clause to be inserted in the Treaty (i) *(i) Tho. Walsingham, Hist. Angl. ad An. 1360. seu 34. Edw. III. pag. 176.* that those Islands which he possessed on the Coast of France should remain his as before.

*Rex vero Angliæ & Hæredes sui, omnes Insulas, patriis prædictis adjacentes, tenebunt, unâ cum INSULIS quas tenet in præsentii.*

I find little Action relating to these Islands in the time of RICHARD II, Son RICH. II. of the *Black Prince* ; nor much in that of HENRY IV. This only excepted, viz. that HENRY IV. *Penhouet (k) Admiral of Bretagne, having worsted the English in a Sea-fight, pursued (k) Dargentré Hist. de Bretagne L. X. Ch. CCCXLIV. pag. 794.* his advantage, and entred the Isles of JERSEY, and *Guernesey*, which he plundered, but durst not sit down before the *Cap*. This happened An. 1404.

HENRY V was no sooner on the Throne HENRY V. but he renewed the Claim to France, and with much Glory recovered all that had been lost since the Death of the *Black Prince*, with considerable Accessions. That brave and warlike King, knowing the advantageous Situation of these Islands, made great use of them in the Prosecution of the War. He added much to the beauty and strength of *Gouray* Castle in JERSEY,

Chap. I. (1) gave it the proud Name of *Mont-Orgueil* History of which it bears this day; made it a place the Island. of Arms, and one of his chief Magazines of

War, and resolved, so far as Art could do it, to render it impregnable.

(1) Camb. de  
Insul. Brit. p.

854. *Ad Orien-*

*tae latus quæ Constantiam Urbem ex adverso prospexit, præruptæ rupi  
Castrium affigitur Munitissimum, elato nomine Mont-Orgueil, quod  
Plurimum Henrico V. Instauratori debet.*

(m)Chronique  
MSS. de L'Isle  
de JERSEY.  
Ch. V.  
HENRY VI.

This strong Castle fell nevertheless into the hands of the *French*, in the latter end of the weak Reign of King HENRY VI. (m) which happened thus. During the Contestation betwixt that unfortunate Prince and Edward IV, for the Crown, a *French* Nobleman, named *Peter de Brezè* Count de *Mau-levrier*, raised Forces in *France*, and brought them with him into *England*, to support the Title of *Henry*, against that of *Edward*. He had before contracted with Queen *Margaret*, Wife of *Henry*, (who was a *French* Woman, and had called in the Count to the Assistance of her Husband) that, in consideration of so important a Service, the Islands of JERSEY, *Guernezey*, *Alderney* and *Serk*, should be made over to him, to hold them for himself, and his Heirs for ever, independently from the Crown of *England*. The Bargain being struck, the Count sends one *Surdeval* to seize upon *Mont-Orgueil* Castle in JERSEY. The *French* coming in the Night, got into the Castle by surprize, or (as others think) by the connivence and Treachery of the *English* Commander, who being

being a creature of the Queen, had secret Orders to deliver it up. The Count himself came some time after into this Island; and tho' he shewed all imaginable kindness to the Inhabitants, inviting them by the offer of many large Grants and Priviledges to acknowledge him, and renounce their Allegiance to *England*, he could never prevail on the Inclinations of a People who were enraged to see themselves sold to the *French*, a Nation which they hated; insomuch that in about Six years time, he could never make himself Master of above half the Island: *Philip de Carteret*, Seigneur of *S.Oüen*, maintaining the King of *England's* Authority in the other half, during which time frequent Skirmishes happened betwixt both Parties.

In this State things remained till the Death of *Henry VI.* and the quiet Possession of the Throne by *EDWARD IV.* For then *Sir Richard Harliston* Vice-Admiral of *England*, coming to *Guernезey* with a Squadron of the King's Ships, *Philip de Carteret* sent to him for Succour. They agreed that while the *English* Fleet blockt up *Mont-Orgueil* Castle by Sea, the Islanders should besiege it by Land. The Castle was reduced by Famine; and the *French* were once more driven quite out of the Island. The Islanders got much Honour by this Siege, and had thereupon a new Charter granted them, with special mention of their good Service on this occasion, and the said good Service hath ever

Chap. I.  
History of  
the Island.

ED W. V.  
RICH. III.  
HENRY VII.  
HEN. VIII.

since been inserted in all our Charters to this Day, in perpetuam rei Memoriam.

So many ill Successes one after another, made the *French* lay aside for a-while the thoughts of these Islands; so that we hear no more of them under the Reigns of EDWARD, RICHARD III, HENRY VII, and HENRY VIII. But I must not omit to mention the Coming of *Henry VII.* to JERSEY in this Interval. He was then only Earl of *Richmond*, and fled from the Cruelty and Tyranny of *Richard*. Whether out of Design, or forced by contrary Winds in his Passage into *Bretagne*, he put into this Island, where he lay concealed till he found an Opportunity to get over. Being a wise and discerning Prince, he observed some Defects in our Constitution, which he amended when he came to the Crown, enlarging our Charter, and enacting several Ordinances for the better Government of this Island.

A War breaking out betwixt our King EDWARD VI, and *Henry II.* of *France*, the *French* re-assumed their former Thoughts of bringing these Islands under their Subjection (*n*), flattering themselves with greater hopes of Success than ever, from the Minority of that King, and the Troubles with which his Government was then perplexed. In the Year 1549, they set a Fleet out from *St. Malo's* (a Town, the ill effects of whose neighbourhood we have often resented) and seized on the little Isle of *Sark*, which was then

(n) Hollingshead ad Annum 1549. pag. 1055. Histoire de Normand. Ch. 7. pag. 284.

then Un-inhabited, where they planted Co- Chap. I.  
 lonies, and built Forts. That Island is sea- History of  
 ted in the Middle and Center of the rest; the Island.  
 which made the *French* believe, that by se-  
 curing that, they would with continual A-  
 larms and Incurfions fo harrafs the others,  
 that they would not long hold out against  
 them. They began with *Guernezey*, where  
 they fet upon a Fleet of *English* Ships, which  
 were at Anchor in the Road before the  
 Town. Most of the Captains and Officers  
 were ashore asleep in their Beds; which  
 gave the *French* some advantage in the be-  
 ginning of the Fight. But the whole Town  
 being awakened with the noise of the Ca-  
 non, and the Ships soon mann'd, the Fight  
 was maintained, and the *French* repulsed.  
 From thence they sailed to JERSEY, and  
 landed at *Bouley-Bay* in the North of the  
 Island, but through the Courage and Bra-  
 very of the Islanders, were beaten back to  
 their Ships; many being kill'd and wounded  
 on both Sides. Among the Slain on our  
 side, was found a Popish Priest of this  
 Island, whose Love to the *English* Govern-  
 ment and the Liberties of his Country, pre-  
 vailing above the Discontents which the  
 Change of Religion that was made in that  
 Reign wrought on Men of his Order, made  
 him appear that day in the foremost Ranks.  
 An Example to be recommended to those of  
 that Perswasion in *England*, who out of an  
 unjust Aversion to the present Establishment

Chap. I.  
History of  
the Island.

Q. MARY.

would call in the *French*, and subject their native Country to a Foreign Power. The poor JERSEY-Priest was much the honefter Man, and the better Patriot.

Queen MARY's Reign has been thought inglorious for the Loss of *Calais*, taken by the *French*, after the *English* had possessed it above 200 Years. It was nevertheless in the Time of this Queen, that the Isle of *Sark* was retaken from the *French*; though I cannot say the Recovery of so small an Island countervails the Loss of a Town, that was one of the Keys of *France*. The *French* Colony in that Island was grown very thin; The solitariness of the Place, and the want of Necessaries, but chiefly the ill Prospect of their Affairs, and their Despondency of ever becoming Masters of the other Islands, causing many of them to desert, and return into *France*; so that few able to bear Arms were left for the Defence of the Place. And yet even those few were enough to have held it against a whole Army. For the Land is so high, and unaccessible on all Sides, and the Steps leading up so steep and narrow, that one Man arm'd only with Stones, may't have kept out a Thousand. This Island notwithstanding was taken by a small Company of *Flemings*, Subjects of *K. Philip*, (Husband of *Q. Mary*,) who coming in the Night to one of those Paths, and finding it unguarded, went up without Resistance, and took the *French* Prisoners. This is the Account which

we



we have of that surprize from a Manuscript Chap. I.  
 History of JERSEY, written by an Anony- *History of*  
 mous Author in the Year 1585 (o.) But *the Island.*  
 Sir *Walter Raleigh*, who was sometime Go-  
 vernour of JERSEY, and (being a sagaci- (o) Chroni-  
 ous and inquisitive Person) informed himself que de l'Isle  
 exactly of all the Singularities of these Islands, de JERSEY,  
 gives a very different Relation of it. MSS. Ch.  
 For XXXIV.  
 he says it was taken by a Stratagem, which he  
 preferreth to many of the Ancients. *The*  
*Island of Sark*, says he, (p) *joyning to Guer-*  
*nezey, and of that Government, was in Queen* (p) *Hist. of the*  
*Mary's time,* (he should have said in King *World, Part I,*  
*Edward the VIth's time*) *surprized by the* *Book IV. Ch. II.*  
*French, and could never have been recovered* §. 18.  
*again by strong hand, having Cattle and Corn*  
*enough upon the place to feed so many Men as*  
*will serve to defend it, and being every way so*  
*inaccessible that it might be held against the*  
*Great Turk: Yet by the industry of a Gen-*  
*tleman of the Netherlands it was in this sort*  
*regained. He anchored in the Road with one*  
*Ship, and pretending the Death of his Mer-*  
*chant, besought the French that they might bury*  
*their Merchant in hallowed ground, and in*  
*the Chappel of that Isle; Offering a Present*  
*to the French of such Commodities as they had*  
*aboard. Whereto (with condition that they*  
*should not come ashore with any weapon, no not*  
*so much as with a Knife) the French yielded.*  
*Then did the Flemings put a Coffin into their*  
*Boat, not fill'd with a dead Carcass, but with*  
*Swords, Targets, and Harquebuzes. The French*  
*received*

Chap. I. *received them at their Landing, and searching every of them so narrowly as they could not hide a Penknife, gave them leave to draw their*  
*History of the Island.*

*Coffin up the Rocks with great difficulty. Some part of the French took the Flemish-boat, and rowed aboard their Ship to fetch the Commodities promised, and what else they pleased, but being entered, they were taken and bound. The Flemings on the Land, when they had carried their Coffin into the Chappel, shut the door to them, and taking their Weapons out of the Coffin set upon the French: They run to the Cliff, and cry to their Companions aboard the Fleming to come to their Succour. But finding the Boat charged with Flemings, yielded themselves, and the Place. I have seen a Manuscript (q) which confirms the taking of this Island by such a Stratagem, but the other Circumstances of Time and Persons agree not with the foregoing Story.*

(q) MSS. Ph. de Carteret Baronetti, Domini de S. Ouen, nuper defuncti. Sercenses

*Insulani, prae avari, adulteriis pharis & ignibus nautas & mercatores noctu ad Naufragium impellebant, ut eis jactura Commodo cederet; quod cum aliis Rienfibus quibusdam Anglis & Winchellsensibus factum est; unde commoti ipsi, cum non possent palam ulcisci injuriam, hanc dolo rem aggressi sunt. Finxerunt mortuum Dominum navis; rogant Insulanis ut liceat eis in suo Sacello sepelire; concesserunt, eam tamen Lege ut comitarentur Corpus inermes. Rienfes igitur Pheretrum impleverunt armis & ensibus; pro mortuo efferunt; Insulam & sacellum sunt ingressi; Pheretrum aperiunt: incautos Sercenses invadunt, obtruncant, Insulam vastant.*

Q ELIZA-  
BETH.

From Queen Mary's time to this, the French never set foot in a hostile manner on JERSEY ground. Queen ELIZABETH had

had scarce any War with *France* all the time of her long and prosperous Reign. She had another Enemy to deal with, viz the *Spaniard*: Whose aims at the universal Monarchy were defeated by the Felicities of that Queen. But that incomparable Princess knowing that 'tis a great part of Wisdom in the profoundest Peace to provide for War, had even at that time a carefull eye on the safety of these Islands. She begun that noble Castle in JERSEY, which from her is to this day called *Castle Elizabeth*, but lived only to finish that part of it which is above the Iron-gate, and is called the upper Ward; the lower parts having been since added to that Fortification.

King JAMES was a most pacifick Prince. He thought these Islands in no danger while he lived, and therefore took the less care for the Military defence of them: But it was he that settled Religion in JERSEY, and that brought Us to a Conformity to the *Church of England*. A work doubtless more acceptable to God, and for which his Name will be perpetuated amongst Us no less than if he had invironed this Island with a wall of Brass. A work of all others the most congruous to his peaceable Reign. Thus when God resolved to have a Temple among the *Jews*, he chose the peaceable Reign of *Salomon*, and not that of *David*, tho' otherwise a most excellent Prince, because he had been a Man of Blood.

We

Chap. I.  
*History of*  
*the Island.*

K. CHARL.

(r) *Survey of*  
*the Estate of*  
*the two Islands,*  
*Guernsey and*  
*JERSEY, pag.*  
 282.

We are come to a Reign full of Troubles; that of King CHARLES I, numbered among the Good, but unfortunate Princes: This Island had a deep share in the Sufferings of her King. His early Match with a Daughter of *France*, could not hinder a War from breaking out soon after betwixt the two Crowns. In the Year 1627. the King sent Forces under the command of the Duke of *Buckingham* for the relief of *Rochel*. And tho' that Expedition proved unsuccessful, yet the Landing of an *English* Army in the Isle of *Rhee*, was so resented by the *French*, that they resolved to revenge the Affront by a like Descent the Year following on the Isles of JERSEY and *Guernzey*. Which design had been certainly executed, had it not been timely discovered, and notice thereof given to the Council in *England*. Whereupon the Earl of *Danby* (as *Dr. Heylin* (r) who attended him in the Voyage, informs us) was ordered to go over into these Islands, and to provide for the Safety and Security of them. Which was done accordingly. The Garrisons were re-inforced; the Magazines were stored with all manner of warlike Provisions; the People were exhorted to remember their ancient Loyalty to the Crown of *England*, and all things were put into a posture of Defence. But the *French* came not.

And to strengthen more and more the Isle of JERSEY against any Attempts that might be made

made from *France*, new Fortifications were added to *Elizabeth's Castle*; which about that time became the Residence of the Governour. Then began to be built that part of it called the lower Ward, which takes up the ground whereon stood once the Church and Abby of *St. Helier*: which work was carried on, and finished in this Reign.

The Flame of an unnatural War being soon after kindled in the bowels of the Kingdom, betwixt the King and his discontented Subjects, the Island of JERSEY was secured for the King by Sir *George de Carteret*, who held it several years against the whole power of the Rebels. It pleased God in his infinite Wisdom to permit those wicked men to get the better of their King. They beat his Armies out of the Field, and seized his Person. Yet even amidst all their Prosperities, this little Island was still a Thorn and a Goad in their sides. Ten or twelve small Frigats and Privateers were fitted out of JERSEY. These so infested the *Channel*, that, not to mention the many Prizes they daily took from them, and brought in here, and into *St. Malo's*, not an *English* ship could pass the *Channel* without Convoy. Which brought so great an Interruption to Trade, and Charge to the Nation, that it was then understood of what Consequence the keeping of these Islands is to *England*; and a Resolution was taken to spare no Cost for the Reduction

Chap. I.  
History of  
the Island.



Chap. I.  
*History of  
the Island.*

Reduction of JERSEY. This is an example which methinks should never be forgotten, and I purposely insist thereon to shew what a fatal Error it would be to suffer the *French* to possess themselves of these Islands (seated as they are in the *Channel*) where instead of their own shallow Bays and Creeks, they would find good Roads and safe Harbours, if not for their greatest Fleets, at least for their Pyracies.

While matters stood thus in *England*, Prince *Charles* (who was afterwards King *Charles II.*) came to JERSEY, where he was received with a Joy equal to the Honour we received from his Presence amongst Us ; tho' even this was not without a great mixture of Sorrow for the Detention of his Royal Father, who was then close Prisoner in *Hurst Castle*, a most unhealthy place, seated on a Point of Land that shoots far into the Sea, destitute of fresh water, and annoyed with the Salt and stinking Vapours that arise out of the neighbouring Marshes, and for that very reason probably made choice of by the infamous Regicides to weary the good King out of his Life, whom they were resolved one way or other to remove out of the World. A Project was formed by some of our Loyal Islanders to rescue the afflicted King out of his Captivity, and to bring him to JERSEY, where the Prince then was. The King was privily acquainted with the Design, and was pleased to Consent

to

to his removal to JERSEY. But when the thing came to be executed, it was unhappily defeated by the vigilancy of his Majesty's Keepers, or rather by an unsearchable Providence which had decreed to make of that best of Kings the greatest Example of injured and oppressed Innocence that has been in the World since our blessed Saviour. It is nevertheless no small satisfaction to Us, that, while too many others of his Majesty's Subjects looked unconcerned on his unparalleled Sufferings, we did our honest endeavours for the Preservation of his sacred Life, so that at whosoever door the Guilt of that Blood may lie, we of this Island have, blessed be God, no otherwise contributed to the shedding of it, than by our sins in general, which, added to the heap of the sins of the Nation, drew down that heavy Judgment on Us all.

After the barbarous Murder of that blessed King, his Son, the undoubted Heir of all his Dominions, was immediately Proclaimed, and his Title recognized in JERSEY. His Majesty was pleased once again to make some residence amongst Us. He came the Second time to JERSEY, attended by his Royal Brother the Duke of York, and several of the Loyal Nobility that adhered to him in his Exile. Neither must I omit a very singular Honour which his Majesty did our little Island during his abode there. He himself took a Survey of it, and being

Chap. I.  
*History of  
the Island.*



Chap. I.  
*History of  
 the Island.*

being well skilled in the Mathematicks, did with his own Royal hand draw a Map of it, so accurately done, that, to this day, it is carefully preserved among a Collection of other noble Curiosities of Art and Nature, in the *Heer Van Adlershelm's* famous Cabinet, at *Leipsich* in *Germany* (s), where it is seen by Travellers.

(s) *Dr. Brown's  
 Travels*, p. 172.

About this time *Charles Fort* was built, which is an Out-work to *Elizabeth Castle*, that commands the entrance and approach to it on the Land-side

His Majesty being invited to a Treaty with the *Scots*, he left *JERSEY* again, but so highly satisfied with those many Demonstrations of duty and affection, which, in his greatest Distress, he had received from the Islanders, that, while he lived, he was pleased to retain a gratefull, and a generous Sense of them.

The Treaty with the *Scots* went on successfully. The King was Crown'd at *Scoone*, Jan. 1. 1650, and soon after came into *England* at the head of a Royal Army to dispute his Right with the Usurpers of his Kingdoms. The two Armies encountred at *Worcester* Sept. 3. 1651; where it pleased God again to give the Rebels such Success, that the King not only lost the day, but was forced to abscond with great danger of his Person, till he found a passage into *France*, where he Landed the 22d. of *October* following.

In



In the mean while, the Parliament in Chap I.  
 England was making great Preparations for *History of*  
 the Reduction of JERSEY; being strangely alarmed at the taking of so many of their *the Island.*  
 Vessels by the Privateers of this Island. (t), (t) Whitlock's  
 who continued to annoy the Channel, and Memorials An.  
 were grown so bold that they would set up- 1649. Jan. 23.  
 on English Ships in the very Harbours. A *Letters that the*  
 Fleet of about Eighty Sails, increased af- *Prince sent to*  
 terwards to a greater Number, was set out *Dunkirk for*  
 for that Expedition, under command of Ad- *some Frigats for*  
 miral Blake; while Major General Hains JERSEY;  
 headed the Forces designed for the Descent. *that he gave*  
 The Fleet appeared in sight of the Island, *Commissions to*  
 October 20. 1651. and the same day came to *French Renega-*  
 an Anchor in St. Ouen's Bay. The Bay lies *does to take*  
 open to a Westerly wind, which blows in *Prizes of all*  
 so violently the greatest part of the Year, and *English Mer-*  
 rolls in such a Sea, that 'tis very unsafe for *chants, and to*  
 Shipping. But the same unaccountable Suc- *bring them to*  
 cesses that used to attend the Rebels in other JERSEY.  
 places attended them here. All the time they *That they took*  
 lay in this Bay, they had so smooth a Sea, that *a good Ship of*  
 in the Memory of man, the like had not been *Lime---Anno*  
 known at that Season of the year. Which *1650. Feb. 21.*  
 was no small Discouragement to our People, *Letters that se-*  
 who thought it in vain to fight against men *veral Merchant*  
 that seemed to have the very Winds and *men have been*  
 Seas to fight for them. But that indeed *taken on the*  
 which quite dispirited them, was the un- *Western Coast by*  
 happy News they received at that time *the JERSEY*  
 of the King's defeat at Worcester, which *Pirates.---*  
 came accompanied with a Report, (tho' *Febr. 26. Let-*  
 E false) *ters that two*  
*Dutch-men*  
*laden with*  
*Salt, came to*  
*an Anchor*  
*within half a*  
*League of Dart-*

Chap. I. false) of his being taken in endeavouring to escape. This brought such a Consternation amongst them, and so sunk their Courage, that they, who at another time would have most gladly sacrificed their Lives to promote his Majesty's Affairs, were ready to have laid down their Arms, had not the extraordinary Conduct and Gallantry of their Governor, Sir George de Carteret, brought them on to fight.

*mouth Castle. That presently after two JERSEY Pyrates came up with them, cut their Cables, and carried them away. That the Castle shot at them, but could not reach them.*—March 1. 1650. *Letters of JERSEY Pyrates very bold upon the Western Coast*—March 6. *Letters of several Ships taken by the Pyrates of JERSEY*—March 15. *Of the want of Frigats upon the Western Seas to keep in the Pyrates of JERSEY.*—March 17. *Of the JERSEY Pyrates taking several Merchant ships, and none of the Parliament Frigats to help them.*—March 19. *Letters of the Pyracies committed by those of JERSEY.*—Novemb. 30. *Letters that the JERSEY Pyrates took two Dartmouth Ships, and three other Ships.*—Anno 1651. April 17. *Letters of the JERSEY Pyrates taking two Barks laden in sight of Portland.*—April 21. *Of more Prizes taken by the JERSEY Pyrates, and of Captain Bennet's fighting with two of them four hours*—July 14. *That five English Vessels were taken by Boats of JERSEY carrying four or five Guns apiece.*—July 18. *Letters of two Prizes taken by a JERSEY Frigate, of eight Guns, twenty four Oars, and eighty Men; and that there were twelve of those Frigats belonging to JERSEY.*—August 7. *Letters of much Damage done by the JERSEY Pyrates.*—Sept. 27. *Letters of the JERSEY Pyrates doing much mischief upon the Western Coast.*

(u) Relation MSS. de la Prise de l'Isle & des Chasteaux de JERSEY, par les Rebelles d'Angleterre. Trouvé parmi les Papiers de feu Sire George de Carteret.

The first day, and the night following, nothing was attempted by the Enemy (u). The next day, Octob. 21. early in the Morning, their Cannon began to play; which was answered by several little Forts and Redoubts in the Bay, and by twenty

twenty four Brass-Field-Pieces which at- Chap. I.  
tend the Militia upon occasion. Some of *History of*  
the lesser Frigats drew so near the Shore *the Island.*  
that they made use of their Small-shot,  
which was answered with equal Bravery  
by our Men, who wading into the very  
water, fired briskly upon the Enemies, calling  
them *Rebels*, and *Traitors*, and *Murderers of*  
*their King*. The Battery lasted Four hours, af-  
ter which the whole Fleet drew off, and went  
to *St. Brelard's Bay* (distant about a League  
from that of *S. Oüen*) where being all come  
to an Anchor, they sent back a Squadron to  
*St. Oüen*, the place where they were before,  
and sent others towards *St. Aubin's Bay*,  
and towards *St. Clement*, and *Grouville*,  
meaning to tire and distract our Troops by  
making a shew as tho' they intended to Land  
in all those different places at once; and ac-  
cordingly several Companies were detached  
to attend their Motion : The main Body of  
the Fleet lying still in *St. Brelard's Bay*, to-  
gether with the best part of the Camp to op-  
pose their Landing.


*October 22.* (the same day on which the  
King Landed in *France*, tho' the good News  
came not to Us till some weeks after) a lit-  
tle after Midnight, and by Moon-shine, the  
Enemies were observed to ship off in several  
flat bottom'd Boats, which they had brought  
for that Service, ten or twelve Battalions of  
Foot, to the number of about 4000 Men  
(as was conjectured) in order to make a De-

Chap. I.  
*History of  
the Island.*

scnt, which they attempted by break of day, under the covert of their Ships, which drew as near the shore as the nature of the place would give them leave; sparing neither Powder nor Shot on this occasion. But seeing themselves beaten from two small Forts that had been raised in the Bay, and the Islanders drawn up upon the Sands in a posture to receive them, they thought fit to retire to their Ships, which forthwith weighed Anchor, and returned to *St. Ouen*, leaving only 19 men of War in *St. Brelard's* Bay.

This obliged the Governor to follow them again to *St. Ouen*, after he had posted some Companies of the Militia, his own Company of Fuzeliers, and all the Dragoons, to observe those that remained at *St. Brelard*. The Enemies being come to *St. Ouen* directed their Course Northwards, to *L'Etack*, the furthest Point of that Bay, as if they had designed to Land there, whither they were accordingly followed by the Islanders; but it soon appeared their Design was only to harraß our Troops, for they suddenly tackt about, and steered to the opposite Point, which Motion was likewise attended by our Forces on shore: The Enemies playing all the while furiously with their Cannon, which was answered in the same manner as the day before.

The Night coming on, it was thought necessary to send the Troops, which had been now three Days and two Nights under their Arms, and

and had been extremely fatigued by so many Chap. I.  
Marches and Counter-marches, and were also *History of*  
very much incommoded by a small Rain that *the Island.*  
had not ceased to fall since they were in Action,   
to refresh in the neighbouring Villages: The  
noble and indefatigable Governor, with a  
few Horse that attended him, not departing  
all the while from the Shore. It must not  
be forgot, that the Enemies were that Day  
reinforced by a Squadron of fresh Ships,  
which joined the Fleet a little before Night.

That fatal Night, which proved extraor-  
dinary Dark, and under the Favour of it, the  
Enemies landed a Battalion; which, as soon  
as discovered, was with great Bravery and  
Resolution charged by the Governor, and  
those few Horse that he had about him.  
The Charge was bloody and desperate (w) ma- (w) Whit-  
ny of the Enemies being killed, and mortal- lock's Memori-  
ly wounded; but they poured on so fast, that als ad Annum  
the Infantry that was dispersed about the 1651. Nov. 30.  
Coast; had not time to come up and second *Letters that*  
that small Body of Horse, which certainly Col. Haines  
did Wonders, by the Confession of the very *with his Forces*  
Enemies themselves; who have often said *anchored at*  
that such another Charge would have made JERSEY.  
them retire, and perhaps give over their *They were de-*  
Design, at least for that time. And 'tis pro- *spirately char-*  
bable they must have done so; For the next *ged by a Body*  
Day such a Storm arose, that, had they not *of Horse.—*  
by a timely Reduction of the Island, secured  
a Retreat into the Ports, a great Part of  
their Fleet must have perished, and been

Chap. I.  
History of  
the Island.

(x) Whit-  
lock ad An.  
1651. Jan. 3.  
Ordered that  
the Commissio-  
ners for com-  
pounding, do  
send over some to Sequester the Estates of those in JERSEY.

ashed against the Rocks; nor could even that hinder one of their biggest Frigats from being so lost, with all the Men in her.

The Enemies being landed marched up into the Island, where they committed great Disorders, turning the Churches into Stables, abusing the Pulpits and Communion-Tables in a manner not fit to be named. 'Twere needless to mention the Sequestrations (x), Compositions for Estates, and other Vexations, which the Inhabitants of this Island suffered at that time, since they were common to all that adhered to the Royal Interest.

There was great rejoycing in England for  
(y) Id. ad An. the taking of JERSEY (y). The Parlia-  
1651. Nov. 3. ment did once fear that the Islanders, in  
The Parliament Despair, and rather than own their Power,  
ordered that the would give themselves up to the French. Or  
Ministers of that the King urged by his Necessities, would  
London and Westminister, sell it to that Crown for a Summ of Money.  
do on the 5th of 'Tis certain that a Letter came about that  
November time to the Men at Westminister (z), infor-  
next, in their ming them that the late Earl of St. Albans,  
several Congre- and Sir Richard Grenvil, were actually at the  
gations, give French Court, treating about some such  
thanks to God thing; And tho' it proved a Mistake, it  
for the gaining served to quicken the Resolutions of the Par-  
of JERSEY liament, who wisely considered, that if this  
Island. Island with ten or twelve small Privateers, and  
(z) Id. ad An. with  
1651. Letters  
that Jermyn &

with none or little help from *France*, was able, meerly by the Advantage and Opportunity of its Situation, to obstruct the Trade and Commerce of the *Channel*; how much more would it be able to do so, if, by falling into the Hands of the *French*, it should become a Retreat to all the Corsairs of that Nation?

Chap. I.  
*History of the Island.*

*Greenvil were sent to Paris, to advise about selling of JERSEY to the French.*

Tho' the Island was reduced, the Castles were not. Sir *George de Carteret* shut himself up in that of *Elizabeth*, with several of the Gentry and Clergy, and the Garrison, amounting in all to about 350 fighting Men. The Castle was besieged, and several Batteries were raised on *St. Helier's Hill*, that did little Execution besides beating down the Parapets, which were soon repaired. Then came the News of his Majesty's safe Arrival in *France*; Whereupon Mr. *Poingdestre* was dispatched to his Majesty, to acquaint him with the State of the Garrison. In the mean while the Enemies seeing no great Effect of their Cannon, caused a Battery of Mortars to be raised, and threw Bombs into the Castle. One of which falling upon the Church, and breaking through two strong Vaults, under which was laid a considerable Quantity of Powder, with other Ammunition and Stores, blew up the Church and the adjoining Buildings, burying above Fourscore Persons of the Garrison under the Ruines thereof. This Accident caused a great Consternation in the Garrison, and hastned the

Chap. I.  
*History of  
 the Island.*

Reduction of the Place. But before the Governor would hearken to a Treaty, he sent his Chaplain, the Reverend Dr. *Durel*, late Dean of *Windsor*, (Mr. *Poingdestre* not being yet returned) to the King, to know if he may't expect Succour, promising with a very small Force, not only to keep the Castle, but to drive the Enemies quite out of the Island. The King, after many fruitless Applications made to the *French Court*, (which was then at *Poitiers*, and had begun by the Intrigues of Cardinal *Mazarin*, to enter into a close Conjunction with the Powers in *England*) sent back this Message to the Governor: " That he was highly  
 " satisfied with his Courage and Conduct in  
 " the Defence of the Island; Being con-  
 " vinced no man could do more than he had  
 " done for his Service. That he was for-  
 " ry the ill Posture of his Affairs was such,  
 " that he could not promise him Relief:  
 " requiring him not to throw away the  
 " Lives of so many brave Men, who may't  
 " be reserved for a better Occasion: And,  
 " in short, to Capitulate, and Surrender on  
 " the best Terms he could. Which was  
 done accordingly some Weeks after, upon a  
 very honourable Composition; This being  
 one of the last Garrisons that held for the  
 King.

His Majesty being restored to his Crowns,  
 was pleased to remember the Loyalty and  
 Services of his Subjects of JERSEY; and as  
 he



he conferred many Marks of his Royal Favour on Sir *George de Carteret*, so he ever expressed great Kindness to the rest of the Inhabitants, whom he took into his particular Protection, among whom reciprocally the Name of **K. CHARLES** is never mentioned to this Day, but with singular Veneration and Honour. I shall only give one Instance of the Care which that Prince took of our Safety. During the War betwixt France and this Crown, which begun Anno 1665, he completed, and with great Expence finished the Fortifications of *Elizabeth Castle*, causing the *Green* (that is betwixt the lower Ward, and *Charles Fort*, where an Enemy may't have lodged himself in time of a Siege) to be enclosed with Walls, and planted with Ordnance; there being now no ground within half a Mile of the Castle, but what is taken into the Fortification, or covered by the Sea at every half Flood; which has no doubt brought a great Accession of Strength to the Place.

During the abovesaid War, one *Vaucour* Captain of *Chauzé* (which is a small Island possessed by the French, not far from JERSEY) was hanged in *Guernzey*, by Sentence of the Court there, for endeavouring to surprize, and betray that Island to the French.

The Preservation of the Isle of JERSEY, **K. JAMES II.** in the late amazing Revolution, is, under God, chiefly owing to the great Prudence and Reso-

Chap. I.  
*History of  
the Island.*

Chap. I.  
*History of  
 the Island.*

Resolution of our Magistrates. There was then a Popish Commander, a Popish Priest, and many Popish Soldiers, in *Elizabeth Castle*, Men that had Temptations and Opportunities enough, in that Conjunction, to have called in the *French*; and indeed we were not without great Apprehensions of it. But matters were so managed, that the Inhabitants were admitted to mount the Guard in the Castle by equal Proportions with the Soldiers of the Garrison; which secured that strong Fortress against any Design which that Party may't have had to deliver it up to the Enemy. Nor must we pass under silence the signal Obligation we have to the Right Honourable the Earl of *Bath*, who knowing the Danger we were in, did, upon the Prince's Landing in the West, send his own Regiment to our Succour, commanded by the Honourable Sir *Bevil Granville* his Lordship's Nephew, at whose coming the Papists were disarmed, and the Island was secured for the Prince.

K. WILLIAM  
 and  
 Q. MARY.

And thus I have traced the History of this Island (so far as relates to my present Design) through the Reigns of our former Kings, down to that of their present Majesties K. WILLIAM and Q. MARY; under whose auspicious Government, we promise our selves the same Happiness and Security which we have enjoyed all along under a long Series of so many Excellent Princes. His Majesty was pleased with his own Royal Mouth to assure

Us


Us of his Care and Protection, when Mr. Chap. I.  
*Durel* their Majesties Advocate, together *History of*  
 with the Author of these Sheets, (introdu- *the Island.*  
 ced by the Right Honourable the Lord *Jermyn*, our Governour) had the Honour to  
 kiss his Majesty's hand, and to Present him, (a) Feb. 6. 1692.  
 from the States of the Island, the following *Gazet. No.*  
 Address (a.) 2844.

To the KING's and QUEEN's  
 Most Excellent Majesties.

*The Humble Address of the States of  
 Your Majesties Island of JERSEY.*

May it please Your Majesties,

**W**E acknowledge Your Majesties  
 Great Goodness in giving Us  
 Access to Your Royal Throne, and leave  
 to lay this Address at Your Sacred Feet.  
 We are the Representatives of a People,  
 which, tho' distinguished from others of  
 Your Majesties Subjects in Language and  
 peculiar Customs, concurs with them in  
 the common Interest of Your Kingdoms,  
 and yields to none in Zeal and Affection  
 to Your Majesties Persons and Govern-  
 ment. We are Your Majesties Ancient  
 Subjects;

Chap. I. *Subjects ; The Remainder of that once History of goodly Patrimony which Your Renowned the Illand. Progenitors had on the Neighbouring*  
 *Continent ; rescued from the unhappy Fate of the rest, by that great care which Your Majesties Predecessors, in all their Wars with France, ever took for the Preservation of this important Place : extending upon all Exigencies their Protection to Us ; and constantly supplying Us with every thing needful for Our Defence. Which, by the Blessing of God, has had that Success, that tho' Our Situation exposes Us to a Formidable Enemy, who, in the space of above Six Hundred years, has often projected to Invade Us, and has sometimes actually attempted it, he has been as often repulsed. Insomuch that after the Revolution of so many Ages, wherein whole Kingdoms have been torn asunder and divided from each other, we have still, at this day, the Happiness of remaining united, as at first, to the rest of Your Majesties Dominions. We humbly conceive this Island to be no less important to Your Majesties now, than when it it was thought so in the time of Your*  
Royal

Royal Ancestors; since the known Endeavours of the French, for some years, to increase their Naval Power, and their late bold entering the Channel, and disputing with Your Majesties the Empire of the Sea, is a pregnant Proof how greatly it would prejudice the Safety and Honour of Your Crown, should they become Masters of This and the adjoining Islands. *Chap. I. History of the Island.*

In this Conjuncture, we think it Our Duty to assure Your Majesties, that, with the Divine Assistance, we will defend this Place to the utmost for Your Majesties Service, and that We wish to live no longer than we are Your Majesties Subjects: Hoping Your Majesties will believe, that, tho' Our Tongues be French, Our Hearts and Swords are truly English. These two Last are entirely Your Majesties, and the First are employed in nothing more than in celebrating Your Majesties great Virtues, and just Praises; and in beseeching Almighty God, who hath so wonderfully placed You on the Throne, and who by so many Miracles of his Providence hath hitherto preserved You thereon, to continue his powerful Protection over You; to go out with

Chap. I.  
History of  
the Island.

with Tour Fleets and Armies ; and to complete that Great Work for which he hath so evidently designed You ; which is, to raise the Glory and Reputation of this Nation, to put a stop to the boundless Ambition of the unjust Disturber of the Quiet of Christendom, and to procure a safe and lasting Peace to Europe. We are,

May it please Your Majesties,  
Your Majesties most Faithful, and  
Most Loyal Subjects, &c.

I cannot better conclude this Chapter than with some of those remarkable Testimonies which our Kings have given of our Loyalty and Zeal for their Service, in the many Charters by them granted to the Inhabitants of this Island. I shall begin with that of *Edward III*, who had a particular kindness for this Island, and (as was said before) made great use of it in his Wars with *France*.

EDOARDUS Dei Gratiâ Rex Angliæ, & Franciæ, ac Dominus Hiberniæ, Omnibus ad quos Præsentis Litteræ pervenerint, Salutem:--Sciatis--quod Nos gratâ memoriâ recensentes, quàm constanter

stanter, & magnanimiter, dilecti & fide- Chap. I.  
 les Homines Insularum Nostrarum de History of  
 JERESEY, Guerneſeye, Sark & Aure- the Island.  
 ney, in Fidelitate noſtrâ, & Progeni-  
 torum noſtrorum Regum Angliæ, ſem-  
 per hætenùs perſtiterunt, & quanta, pro  
 Salvatione dictarum Insularum, & no-  
 ſtrorum Conſervatione Jurium & Honoris  
 ibidem, ſuſtinuerunt tam Pericula Cor-  
 porum, quàm ſuarum diſpendia Faculta-  
 tum, ac proinde volentes ipſos favore  
 proſequi gratioſo, Conceſſimus, &c.

I ſhall next mention that of Edward IV,  
 in whoſe time the Inhabitants did that good  
 Service in recovering Mont-Orgueil Caſtle  
 from the French who had ſurprized it.

EDOARDUS Dei Gratiâ Rex An-  
 gliæ, & Franciæ, & Dominus Hiber-  
 niæ, Omnibus ad quos Præſentes Lit-  
 teræ pervenerint, Salutem. Cùm Nobi-  
 liſſimus Progenitor noſter inclytæ Memo-  
 riæ Richardus quondam Rex Angliæ,  
 & Franciæ, & Dominus Hiberniæ, poſt  
 Conqueſtam Secundus, per Literas ſuas  
 Patentes, datas apud Weſtmonaſte-  
 rium octavo die Julii, anno Regni ſui de-  
 cimo octavo, in conſideratione benigniſſus,  
 & magnæ Fidelitatis, quos in Ligeis &  
 Fidelibus

Chap. I. *Fidelibus suis Gentibus & Communitatibus Insularum suarum de JERESEY, Guerneseye, Sark, & Aureney indies inuenit, de gratiâ suâ speciali concessit pro se & hæredibus suis, quantum in eo fuit, eisdem Gentibus & Communitatibus suis, quod ipsi & successores sui in perpetuum, forent liberi & quieti, in Omnibus Civitatibus, villis Mercatoriis, & Portibus infra Regnum nostrum Angliæ, de omnimodis Theloniis, Exactionibus, Custumis, taliter & eodem modo quo Fideles Ligei sui in suo Regno prædicto extiterunt: ità tamen quoddictæ Gentes & Communitates suæ, & hæredes, & successores sui prædicti, bene & fideliter se gererent ergà ipsum Progenitorem nostrum, & hæredes & successores suos in perpetuum, prout in Literis illis plenius continetur; Nos continuam Fidelitatem Gentis & Communitatis dictæ Insulæ de JERESEY plenius intendentes, Literas prædictas, & omnia & singula in eis contenta quoad Gentem & Communitatem ejusdem Insulæ de JERESEY, acceptamus, approbamus, & eidem Genti & Communitati, hæredibus & successoribus suis, per Præsentes ratificamus,*



*ficamus, & Confirmamus. Et ulterius* Chap. I.  
*Nos Memoriae reducentes, quam valide, History of*  
*viriliter, & constanter, dictæ Gens & the Island.*  
*Communitas ejusdem Insulæ de JERE-*  
*SEY nobis & Progenitoribus nostris per-*  
*stiterunt, & quanta Pericula & Perdi-*  
*ta pro Salvatione ejusdem Insulæ, &*  
*Reductione Castri nostri de Mont-Or-*  
*gueil sustinuerunt, de Uteriori gratiâ*  
*nostrâ Concessimus, &c.*

Queen *Elizabeth's* Charter begins thus.

ELIZABETH Dei Gratia, &c.  
Quum Dilecti & Fideles Ligei & Sub-  
diti nostri, Ballivus & Jurati Insulae  
nostrae de JERESEY, ac caeteri Incolae  
& Habitatores ipsius Insulae, infra Du-  
catum nostrum Normanniae, & Prede-  
cessores eorum, à tempore cujus contrarii  
Memoria hominum non existit, per spe-  
ciales Chartas, Concessionones, Confirmatio-  
nes, & Amplissima Diplomata, illustrium  
Progenitorum ac Antecessorum Nostro-  
rum, tam Regum Angliae, quam Ducum  
Normanniae, ac aliorum, quampluri-  
mis Juribus, Jurisdictionibus, Privilegiis,  
Immunitatibus, Libertatibus, & Franchi-  
fiis,

Chap. I. *fiis, liberè, quietè & inviolabiliter usi, History of freti, and gavisè fuerunt, tam infra the Island. Regnum nostrum Angliæ, quàm alibi infra Dominia & Loca Ditioni nostræ sub-*  
*jecta, ultrà citràq; Mare, quorum ope & beneficio, Insulæ prænominatæ, ac Loca, Maritima prædicta, in fide, obedientiâ, & servitio tam Nostri quàm eorundem Progenitorum nostrorum, constanter, fideliter, & inculpate perstiterunt, & perseveraverunt, liberaq; Commercia cum Mercatoribus, & alijs Indigenis ac Aliengenis, tam Pacis quàm Belli Temporibus, habuerunt & exercuerunt, &c. Quæ omnia & singula cujus & quanti Momentisint & fuerunt ad Tutelam & Conser-*  
*vationem Insularum & Locorum Maritimarum prædictorum, in Fide, & Obedientiâ Coronæ nostræ Angliæ, Nos, ut æquum est, perpendentes: Neque non immemores quam fortiter, & fideliter, Insularii prædicti, ac cæteri Incolæ & Habitatores ibidem, Nobis & Progenitoribus nostris inservierunt, quantaque Detrimenta, Damna, & Pericula, tam pro assiduâ Tutitione ejusdem Insulæ & Locî, quàm pro recuperatione & Defensione Castri nostri de Mont. Orgueil in-*  
*frà*

frà prædictam Insulam nostram de JERE- Chap. I.  
SEY, sustinuerunt, indiésque sustinent : *History of*  
*non solum ut Regia nostra Benevolentia, the Island.*  
*favor, & affectus ergà præfatos Insu-*  
*larios illustri aliquo nostræ Beneficentiæ*  
*Testimonio, ac certis indiciis, comprobe-*  
*tur; verum etiã ut ipsi, & eorum Po-*  
*steri deinceps in perpetuũ, prout antea,*  
*solitam & debitam Obedientiam erga Nos,*  
*hæredes, & successores nostras teneant*  
*& inviolabiliter observent, has Litte-*  
*ras nostras Patentes, Magno Sigillo An-*  
*glie roboratas, in formã quæ sequitur, illis*  
*concedere dignati sumus. Sciatis, &c.*

Here followeth the Preamble of a Com-  
mission under the Great Seal, directed to Sir  
Robert Gardiner, and Dr. James Hussey, who  
were sent to JERSEY in the time of King  
James I, with the Character of Commis-  
sioners Royal, upon an extraordinary oc-  
casion.

JAMES by the Grace of God, King of  
England, &c. To Our trusty and well-  
beloved, Sir Robert Gardiner Knight,  
and James Hussey Doctor of the Civil  
Law and one of the Masters of Our  
Court of Chancery, Greeting. Whereas  
in Our Princely Care, and earnest de-  
fire

Chap. I. *for the Establishment and maintenance of Justice, and for the security of the Island, and wealth of our Subjects generally in all Our Realms and Dominions, We have been very mindful of the good Estate of Our loving Subjects, the Inhabitants of Our Isles of JERSEY, and Guernezey, and other their Dependances, a Portion remaining as yet unto Us in possession of Our ancient Dukedom of Normandy; and have been, and are the rather moved thereunto, both for their intire and inviolate Fidelity born by them towards Us, and Our Predecessors Kings and Queens of this Realm of England, testified and declared by many their Worthy and acceptable Services towards this Our said Crown, and also in respect of their Situation furthest remote from the rest of Our said Dominions, and for that cause needing Our special Care and Regard to be had of them, being thereby exposed to danger of an Invasion or Incursion of Foreign Enemies: And whereas We are informed, &c. For these Causes know therefore that We have nominated You, to be Our Commissioners, &c.*

I shall only add this notable Passage Chap. I. of that great Oracle of the *English History of Law*, the Lord Chief Justice Coke: *the Island.*

(b) *The Isles of JERSEY and Garnsey,* (b) IV. Part of the Instit. Ch. did of ancient time belong to the Dutchy of Normandy; but when King Henry I. LXX. pag. 286.

had overthrown his elder Brother Robert Duke of Normandy, he did unite to the Kingdom of England perpetually the Dutchy of Normandy, together with these Isles: And albeit King John lost the Possession of Normandy, and King Henry III. took Money for it, yet the Inhabitants of these Isles with great Constancy remained, and so to this day do remain, true and faithful to the Crown of England. AND THE POSSESSION OF THESE ISLANDS (BEING PARCEL OF THE DUTCHY OF NORMANDY) ARE A GOOD SEISIN FOR THE KING OF ENGLAND OF THE WHOLE DUTCHY.

## C H A P. II.

*Description of the Island.*

Chap II.  
Description  
of the Island.

Situation of  
JERSEY.

Latitude and  
Longitude.

THE Island of JERSEY is seated in the Bay of *St. Michael*, betwixt *Cap de la Hague*, and *Cap Forbelles*; the first in *Normandy*, the last in *Bretagne*: both which Promontories may be seen from thence in a clear Day. The nearest Shore is that of *Normandy*, to which the Cut is so short, that Churches and Houses may be easily discerned from either Coast.

It lies (according to Mr. *Samaré's* his new Survey) in 49 Deg. and 25 Min. of Northern Latitude, which I take to be right enough. But when he gives it but 11 Deg. and 30 Min. of Longitude, I cannot conceive where he fixes his first Meridian. For to say nothing of the Isles of *Azores*, or those of *Cap Verd*, which are at a much greater Distance, if he takes it (with *Sanfon*, and the French Geographers) from the Isle of *Feró*, the most Western of the *Canaries*, it must be a great deal more than he says, viz. 18 Deg. at the least; Or if he takes it even from *Tenarif*, which, according to the best and latest Observations, is 18 Deg. from London,

London, still the Longitude of JERSEY Chap. II. cannot be less than 15 Deg. 30 Min. It *Description* seems to me to have near the same Longi- *of the Island* tude as *Bristol* in *England*.

In Length it exceeds not 12 Miles: The *Dimension.* Breadth, where it is broadest, is betwixt 6 and 7.

The Figure resembleth somewhat an Ob- *Figure.* long Parallelogram; the longest Sides whereof are the North and South, the narrowest are the East and West. The North Side is a continued Hill, or ridge of Cliffs, which are sometimes 50 Fathoms high from the Water, and render the Island generally unaccessible on that Side. The South side is much lower, and in some Places level, as it were, with the Sea.

I cannot better compare it than to a Wedge, or to a Triangle Right-angle; the *Basis* whereof may be supposed to be the Sea; the *Cathetus*, those high and craggy Cliffs which it hath on the North; and the *Hypothenuſa*, the Surface of the Island, which declines and falls gently from North to South, according to the following Diagram.

F 4

J E R

Ch. II.  
*Description of the  
 Island.*

J E R S E Y.



It receives two great Benefits from this Situation. The *First* is that those Rivulets ( for I cannot call them Rivers ) with which this Island abounds, do by this means run further, and receive a greater Increase and Accession of Waters ( whereby they become strong enough to turn betwixt 30 and 40 Mills that supply the whole Country ) than they would do, should the Island rise in the middle, and all the Streams by an equal Course descend on every side to the Sea. This Consideration would be of no great Moment to a larger Country, but is of unexpressible Use and Advantage to so small an Island. The *Second* Benefit which we receive from this Situation, is, that by this Declivity of the Land from N to S, the Beams of the



the Sun fall more directly and perpendicularly thereon, than if either the Surface was level, and Parallel to the Sea, or, which is worse, declined from S to N, as it doth in *Guernezey*. For there, by an odd opposition to JERSEY, the Land is high on the S, and low on the N, which causes, if I may so speak, a double Obliquity; the one from the Position of the Sun it self, especially in time of the Winter Solstice; the other from the Situation of the Land; and is probably the Reason of the great Difference observed in the Qualities of Soil and Air in both Islands.

Ch. II.

Descrip-

tion of the

Island.

## G U E R N E Z E Y.



This Declivity of JERSEY is not a smooth and even Declivity, as some may't think. The Surface is extremely broken, and unequal,

*Inequality of the Surface.*

Chap. II.  
*Description  
 of the Island.*

equal, rising and falling almost perpetually. For as on the N, it is an entire Hill, with few and short Vales, so on the S, SE, and SW, it is cut into sundry fruitfull Valleys, narrow at the Beginning, but growing wider as they draw still nearer and nearer to the Sea; where they end in several Flats of good Meadows and Pastures. Mr. Poingdesfe thought that this Unevenness and Inequality of the Surface added much to the Quantity and Proportion of the ground, and that the Island was so much the more Capacious and Productive, by how much the more the Surface was expanded, rising with the Hills, and descending with the Valleys. But herein I must take the Liberty to depart from so great a Man. It being demonstrable that a Country that is exactly level, will contain as many Houses and Inhabitants, will produce as many Trees, Plants, &c. as another Country, whose Surface is as uneven and unequal as can be, but whose Basis or Plane is equal to the other. Therefore the true Dimension of any Country is not to be taken from those Gibbosities that swell the Surface in one Place, or those Profundities that depress it in another, but from the true Basis or Plane of that Country.

*Nature of the  
 Soil.*

The Nature of the Mould and Soil admits great Variety; which proceeds from this Difference of higher and lower Grounds. The higher Grounds are gritty, gravelly, and some stony and rocky, but others are

Ex-

Excellently good. The Lower are deep, heavy, and rich. Those near the Sea are light and sandy, yet not equally so in all Places. But generally there is little barren Ground in the whole Island; almost none that is not capable of receiving some profitable Culture, and recompensing, one way or other, the Pains of the Labouring Husbandman.

Chap. II.  
*Description  
of the Island.*

We must except a large Tract of once Excellent Lands, in the West of the Island, which within these 200 Years have been so over-run with Sands, that the Island on that side beareth the Image of a Desert. This is said to have happened by Divine Vengeance (c) on the Owners of those Lands, for detaining the Goods of Strangers that had been shipwrackt on that Coast, though enjoined by the highest Censures of the Church to restore them. There must be from time to time such publick Examples of Divine Justice among Men, that *the Inhabitants of the Earth may learn Righteousness*. And yet, I confess, it may't be also the Effect of a Cause not Preternatural: I mean of those high Westerly winds that blow here almost at all Seasons of the Year, and which on this side of the Island, are daily seen to drive the Sands from the Bottom to the Top of the highest Cliffs.

(c) Ex MSS. Philippi de Carteret, Domini de S. Oüen, &c.]  
*In Insulâ JERSEY Solum fuit fecundissimum, quod Canvetos appellant, in Parochiâ Sancti Brelardi. Nemo se satis diuitem in Insulâ putabat nisi illic pradium haberet. Contigit Anno*

*Dom. circiter 1495, quod quinque Hispanicæ Naves illic fecerunt mercedis hyeme naufragium, ad Festum Cath. Quatuor naves aquis obrutæ. Quinta ad Littus perjecta homines (præter unum) servat incolumes. Reliqui omnes absorpti. Insulani diripuerunt earum ficos, vina, merces,*

ces, & bona: Nec potuerunt Monitoriis, etiam & Anathematibus, res recuperare. Factum tandem, ultione Divinâ, ut Insula arenâ sive Sabulo, quod erat eâ parte ab occidente in medio Maris, ventis perflata fueris, & universam illam Agrorum fecunditatem vastaverit. Nunc Canvetos vocant.

Chap. II.  
Description  
of the Island.  
Fertility.

The Island produces all Manner of Trees, Shrubs, Fruits, Roots, Flowers, and Herbs Medicinal, Aromatick, or Esculent, all Sort of Pulse and Corn as groweth in *England*, the latter indeed not in the same Quantity nor Perfection; Pulse and Corn being generally here of a smaller Size. Since the great Improvement of Cidar, there is so little Malt made in this Island, and consequently so little Barley converted to that Use, that it serves to the poorer People to make Bread of, which to the Eye appears indeed black and course, but is very wholesome and nourishing, and not ungratefull to the Palate.

(d) Lib. I.  
pag. 197.

When Dr. *Heylin* came into this Island, he found the People more addicted to Tillage and Husbandry, than to Manufactures, and Navigation: And accordingly in his Cosmography (d) he says, *That the Island is generally very fruitfull of Corn, whereof the Inhabitants have not only enough for themselves, but some Overplus to barter at St. Malo's with the Spanish Merchants.* The matter is much altered since the Doctor was here. The People have changed their Inclination: And the Island doth not now produce that Quantity as is necessary for the Use of the Inhabitants, who must be supplied from *England*,

or

or *France* (in time of Peace) or from *Dantzick* in *Poland*, to which Last they did very much resort of late, invited thither by the Cheapness of the Market.

Chap. II.

Description

of the Island.

This Decay of Tillage amongst Us has sprung from a Coalition of such Causes as these; As, (1) From the Improvement of Navigation, and Foreign Commerce, which took away many hands which were before employed in working at the Ground, and which brought us Corn from Outlandish Markets, cheaper than the Husbandman could afford it at home. (2) From the increase of the Stocking-Manufacture, which, to speak truth, has rendered the generality of our poorer People idle and lazy, and has given them an aversion to Husbandry, as a more painfull Occupation. (3) From the conversion of the best Arable grounds into Gardens and Orchards for the groweth of Cidar, a Commodity with which we are now over-stockt, while we want the more necessary Support of Life. Tho' it must be confessed that since the present War, which has ruined our Trade, our People, sensible of their Error, and press'd by the evident Necessity of the thing, have applied themselves with more Industry to an Exercise which they had neglected, and have begun to put their hands again to the Plough. So that we may soon grow up to a condition of subsisting, if not wholly from our selves, yet with a little help from *England*.

Decay of Tillage.

I may't

Chap. II.  
Description  
of the Island.

*Inclosures.*

I may't have named another great Obstruction to Tillage, but such a one as can hardly now be removed. 'Tis the prodigious augmentation of Inclosures, Fences, Hedges, rows and Highways, which, tho' they add much to the Beauty, and perhaps Strength of the Island, yet hold they no Proportion with the Bigness thereof, and waste a great deal of good Land which may't be turned to better Account. For I am of Opinion that these which I have mentioned, together with the Gardens, Orchards, Situation, Avenues, and Issues of Houses, take up very near one Third of the whole Island. One is not to imagine such Fences here as in *England*, but great Bulwarks of Earth ( for so I think I may properly call them ) raised with great Labour and Expence, from 6 to 8, and sometimes 10 Foot high, with a Thickness and Solidity answerable to the Height, planted with Quick-sets or Timber-Trees, many of them faced with Stone to a competent Height, as you see the outside of a Curtain or Rampart in a Fortification. And for such they may't serve against a prevailing Enemy, to whom we may't dispute every Field. But still I say, they are attended with this Inconvenience, that they are too much multiplied, and take up too much Ground, in a Country where there is already little enough in Proportion to the inhabitants.

These Inclosures are great Enemies to the Pleasure and Diversion of Gentlemen, who cannot

cannot well hunt, especially on Horseback, Chap. II.  
 but about the Sea-coasts, where a few of the *Description*  
 worse Grounds remain open, or inclosed with *of the Island.*  
 low Fences.

Having mentioned the many Highways as *Highways.*  
 great wasters of the Ground, I shall add that  
 there are three Sorts of them in this Island.

(1) *Le Chemin du Roy*, i. e. The King's Highway, which is to be 12 Foot broad, besides 2 Foot more on each Bank or Side, in all 16 Foot. (2) *Le Chemin de 8 pieds*, i. e. The 8 Foot way, of 8 Foot in the middle, and 4 Foot by the sides, in all 12. (3) *Le Chemin de 4 pieds*, i. e. The 4 Foot way; like the Roman *Actus*, serving only for Carriages on Horseback. Over all these there are, in every Tything, particular Officers appointed to inspect them: And yearly about Midsummer, there is a Perambulation of the Magistrates in one or more of the Parishes, to inquire in what Repair these ways are kept, which is performed very solemnly. The Constable of the Parish where the Perambulation is to be, takes with him 12 of the Principal Men of his Parish, and meets the Judge attended by 3 or more of the Jurats on Horseback: Before whom rideth the Viscount, or Sheriff, with his Staff of Office erected, one End thereof on the Pommel of his Saddle. In ancient times it was *cum Lanceâ*, with a Lance. He keeps the middle of the way, the Constable and his 12 Men walking on foot by his side; and when his

Chap. II.  
Description  
of the Island.

*Perquages.*

(e) Petition in  
Parl. An. 30.  
E. 1. *Vid.* Ry-  
ley's *Placita*  
*Parliam. in Ap-  
pendice*, p. 602.

*Agriculture.*

(f) Descripti-  
on of the Isles  
of *Feroe* by Lu-  
cas Jacobson De-  
bes M. A. and  
Provost of the  
Churches  
there.

his Staff encountereth with a Bough or Branch hanging on the way, the Owner of the hedge is Fined : But if the fault be in the bottom of the way, not the Party bordering, but the Over-seers for that Tything are amerced.

We had anciently another way, and of very different Use, called *Perquage*, from the word *Pertica*, because it was exactly 24 Foot broad, which is the measure of a Perch. There were but XII of them in the whole Island, beginning one at every Church, and from thence leading straight to the Sea. The Use of them was to conduct those who for some Capital offence had taken Sanctuary in any of the Churches, and had been forced to abjure the Island, according to an ancient Custom practised amongst Us in those days (e). Having abjured, they were conducted by the Church-men along those *Perquages* to the Sea, which *Perquages* were still a Sanctuary to them; for if they stray'd never so little, they lost the benefit of the Sanctuary, and were liable to the Law. These *Perquages* may be ranked among the Singularities of this Island, but the Reformation that abolished Sanctuaries, abolished these also.

Our manner of Agriculture differs from that of *England*. I shall mention one thing only which I thought singular to This, and the adjoining Islands, till I found it used likewise in those of *Feroe* (f) : Which is, that Nature having denied Us the benefit of Chalk, Lime, and Marl, has supplied Us with what



what fully answers the end of them in Husbandry. 'Tis a Sea-weed; but a Weed more valuable to Us than the choicest Plant that grows in our Gardens. We call it *Vraic*; in ancient Records, *Veriscum*, and sometimes *Wreccum*; and it grows on the Rocks about the Island. 'Tis gathered only at certain times appointed by the Magistrate, and signified to the People by the publick Cryer on a Market-day. There are two Seasons of cutting it: the one in Summer, the other about the Vernal Equinox. The Summer *Vraic*, being first well dried by the Sun on the Sea shore, serves for Fuel, and makes a hot glowing fire; but the Ashes are a great improvement of the Soil, and are equivalent to a like quantity of Lime. The Winter *Vraic* being spread thin on the green Turf, and after buried in the furrows by the Plough, 'tis incredible how with its fat unctuous Substance it ameliorates the ground, imbibing it self into it, softning the Clod, and keeping the root of the Corn moist during the most parching heats of Summer. In stormy weather, the Sea doth often tear up from the Rocks vast quantities of this Weed, and casts it on the Shore, where it is carefully laid up by the glad Husband-man, there being particular Officers appointed for the Distribution thereof to all, by certain fixed and adequate Proportions.

Chap. II.

Description  
of the Island.*Vraic.*

Chap. II.  
Description  
of the Island.

Hedge-rows  
and Orchards.

The Genius of the Soil is naturally much inclined to Wood, and the humour of the People suits with the Genius of their Soil. The whole Island, especially the more inland Part, is so thick Planted, that to any that takes a Prospect of it from some higher ground, it looks like an entire and continued Forest, altho' that in walking through it, not a Wood, nor hardly a Coppice is to be seen, but many Hedge-rows and Orchards. Nothing can be imagined more delightful than the Face of this Island, when the Trees, which are set along the High-ways, and in the Avenues of Houses, are covered with Verdure, and the Orchards are full of Blossoms. For as the one affords a pleasant shade, so the other recreates the Eye, and perfumes the Air with a sweet Fragrancy. But still it must be confessed that so much shade is prejudicial to the growth of Pasture and Corn. Tho' we have much Wood we have but little good Timber. For almost all our Trees are Pollards; which is not so much an effect of Choice, as of necessity. The Husband-man being obliged to bring his Trees to a Standard, by Lopping of those spreading and Luxuriant branches which, if let alone, would cover his little Plots and Inclosures, and suffer nothing to grow under them.

Ci-lar.

The ordinary Drink of this Island is *Ci-lar*: an ancient Liquor, since we find it mentioned both by *Tertullian* and *St. Augustine*. The former calls it *succum ex pomis vinosissi-*

*vinosissimum*. The other writing against the *Manichees*, who objected to the Catholics that they were men addicted to Wine, whereas themselves abstained wholly from the Use of it, he answers, not by denying the Objection, but by telling those Hereticks, That altho' they refused to drink Wine, they would quaff very freely of another Liquor made of the Juice of Apples, far more delicious than Wine, or any other Liquor whatsoever. From these Passages of *Tertullian*, and *St. Augustine*, who were both *Africans*, Cardinal *Du Perron* (who by the way was born in JERSEY of Protestant Parents) thinks this Liquor was first known in *Africa* (g), and from thence passed into *Spain*, among the *Biscainers*, whose Northern Situation and Icy Mountains were too cold for the tender Vine, and who therefore improved this hardy Tree, that lives and grows under any Climate. The *Normans*, who are almost the only People in *France* unacquainted with the Grape, transplanted the Apple from *Biscay* into their Province, from whence we have it in this Island.

I do not believe there is any Country in the World, which, on the same extent of ground, produces so much *Cidar* as JERSEY. Mr. *Samaré's* his way of guessing at the quantity of *Cidar* made in the whole Island, was, to allow one *Vergée* (which is about half an *English Acre*) of Orchard to every house, which will amount to 3000 *Vergées*, that being near

Chap. II.  
Description  
of the Island.

(g) *Perroniana, five excerpta ex ore Cardinalis Perronii. Genev. 1661. in voce Cidre. pag. 56. & iterum pag. 205.*

Chap. II.  
Description  
of the Island.

upon the number of Habitations in this Island : Now, allowing two Tuns to a *Vergee* it will arise to 6000 Tuns, or 24000 Hog-  
sheads ; which is 500 Tuns, or 2000 Hog-  
sheads for every Parish one with an other.

'Tis not to be imagined the Island should produce the same quantity every Year. The years alternate. A good Year is usually succeeded by a bad one. But a good Year commonly supplies Us for that, and the next ensuing, beyond use and necessity, even to Excess and Debauchery. For this vast quantity of Cedar must be wholly consumed among Our selves, little or none being exported abroad ; tho' it be the onely product of the Island of which we have an Overplus to spare.

For a remedy to this Evil, there was an expedient once found by some of our Merchants : which was to buy up this Supernumerary Cedar, and distill it into Brandy, which they afterwards sold into *England*. But the new Additional impost laid upon those Liquors by Act of Parliament, has obstructed that Trade, which serv'd to take off from our hands a superfluous Commodity that ministers now only to Drunkenness.

(h) *Quid Quincunce  
speciosius, qui in quam-  
cunq; partem spectave-  
rus rectus est?* Quintili-  
an. *Arbores pari inter-  
vallo sitæ, recti orlines,  
& omnia perpulchrè in  
Quincuncem directæ.*  
Cicero in Cat. Maj.

Many of our Orchards are plan-  
ted after the manner of the fa-  
mous *Quincunx* (h), and all of them  
in an Order that gives them a Beau-  
ty beyond what I have observed in  
*Glocester* or *Herefordshire*, where ap-  
pears little Exactness in the Position  
and

and mutual Aspect of the Trees. Nor is there better and larger, more generous and vinous Fruit, than what grows in this Island; but we have it in such Plenty, that 'tis not possible we should use the same niceness in gathering it, and improving afterwards by Art such a Sea of Liquor as is drawn out of it, which is used in other Parts, where there is less Fruit, and consequently less Work required about it. But were the same method practised here as in *England*, viz. to cull the choicest Fruit (whereas we mix all confusedly together) and then ferment, rack and bottle our Cidar, I do not doubt but a great deal of it might, for Taste and Colour, dispute it with the so much admired Red-strake. I have often drank some that was not at all inferior to it.

About 140 years ago there was so little Cidar made in this Island, that the Inhabitants were necessitated to apply themselves to Queen *Mary* then Reigning, for leave to transport yearly out of *England*, among other Provisions, 500 Tuns of Beer for their Use, Custom-free, besides 150 Tuns more for the Garrison, which she granted in the First year of her Reign.

Our ancient Drink was Mead. For then this Island abounded with large and numerous Apiaries, which thrived exceedingly but since the increase of Cidar, they are much decayed; tho' to this day Honey made in this Island surpasses all I have Tasted elsewhere.

*Mead, and Apiaries.*

Chap. II.  
Description  
of the Island.

*Springs and  
Fountains.*

Could Men be satisfied with the common Drink of Nature, Water I mean, no People in the World are more liberally stored with that than we of this Island. 'Tis in my Opinion the great Wonder of this Island, that whereas 'tis but as it were a great Rock, standing in the midst of the Salt Sea, it abounds, beyond what is seen in any other Country under Heaven, with fresh and excellent Springs, which gush out of the hard Rock, and bubble up every where, running in a thousand pretty Brooks and Streams among the Dales, till they lose themselves in that great Receptacle of waters, the Ocean. There is hardly a house that has not such a Spring or Brook near it. Such as have them not, tho' seated on the top of the highest Hills or Cliffs, have Wells; and they seldom need to dig above six or seven Fathoms ere they meet with most pure and wholesome water.

*Mineral-water.*

Nor do we want water for Physick no more than for common Use. We have a Fountain of excellent Mineral water, in the Judgment of the Learned Dr. Charleton, late President of the College of Physicians in London, now residing in this Island, who has tried the water, and approved it.

*Beef and Mutton.*

Beef and Mutton here is of the smallest kind, but so tender and good, that I have heard many *English* Gentlemen prefer it to that which is eaten in most Parts of *England*;

land; whereof I can imagine no other reason than the shortness of our Grass, which has not that Rankness in it, which is peculiar to richer Pastures. Those famous Sheep with six horns, three of each side, one whereof bent forwards towards the Nose, another backwards towards the Neck, and the third stood erected right upwards in the midst of the other two, mentioned by Writers as one of the Singularities of this Island, are become very rare. Horses we have more than enough for the Use of the Cart and Plough; but not many good for the Saddle. Such as they are, they are no doubt exceeding hardy and strong, and will endure more Fatigue than those of a more generous Breed. I never heard of any Mad-Dogs in this Island.

Our constant Game is only the Hare and Rabbit. There are neither Bucks, Stags, Deer, Foxes, nor Wolves in this Island, which require larger and more spacious Countries to range in.

Of Fowl we have Plenty enough of all sorts; whether Barn Fowl, Wild Fowl, or Sea Fowl, whose different Species I need not enumerate. Here are to be seen the famous *Sorland* Geese, whose Equivocal Generation from a rotten piece of Wood, tossed long in the Sea, and impregnated with Nitre and Salt, is received by many amongst Us for Truth. I have met with very credible Persons who have assured me that they have often seen

Chap. II.  
*Description  
of the Island.*

(i) Cambd. de  
Ins. Brit. pag.  
854. Terra sa-  
tis Fertilis va-  
riis frugibus &  
Gregibus abun-  
dat; oves ha-  
bet multas, &  
ex eis plurimas  
quatuor (he  
should have  
said Sex) Cor-  
nibus conspicu-  
as.

Game.

Fowl.

Chap. II. those Birds yet sticking to the Plank, some  
*Description* no bigger than Mushrooms, and almost of  
*of the Island.* that shape; others a little more brought in-  
 to form; others perfectly fledged, and just  
 ready to fly. We call them *Bernacles*, and

JERSEY-  
*Partridge.*

they are only seen about the Sea, and in very  
 cold Weather. The JERSEY-Partridge  
 with red Feet, Pheasant's Eyes, and Feathers  
 of various Colours, is one of the beautiful-  
 est Birds in Nature, and is usually sent alive  
 into *England*, to Persons of Quality, as a  
 great Rarity; but the flesh is not much bet-  
 ter than that of the common gray *English*  
 Partridge. The many Hedges in this Island  
 breed and afford shelter to an infinite Num-  
 ber of small Birds, who chant it merrily all  
 Spring and Summer-long, and delight the  
 Traveller with their pretty Melody. But  
 the poor Husbandman pays dear for that  
 Musick, for they are very destructive to his  
 Corn and Fruit.

*Fish.*

Our Market is all the year long well sto-  
 red with Excellent Fish, some common to  
 Us with *England*, other peculiar to this  
 Place. For Shell-fish, we have Oysters, Lob-  
 sters, Crabs, &c. in great Plenty, and extraordi-  
 nary Cheap. We have also the *Ormer*, which  
 is a Fish scarce known out of these Islands.  
*Ormer* (says Mr. *Poingdestre*) is a Contra-  
 ction of *Oreille de Mer* (*Auris Marina*) a  
 Name given to it because of its Form, which  
 resembleth the Ear of a Man. The Fish  
 within the Shell is a solid Lump of white  
 Pulp,



Pulp, very sweet and luscious. The Shell in Chap. II. the inside is of the Colour of Mother of Pearl, and is used in carved Works. It has Description of the Island. no Under-shell like the Oyster, but the Fish clingeth to the Rock with the Back, and the Shell covers the Belly. 'Tis only found at low Water-marks, in great Spring-tides. For flat Fish we have infinite store of Rays, some with Prickles, some without them; large Turbots, Soles, Flounders, and Plaise of 2 or 3 Sorts. For Scale-fish, we have Basse, which come by Shoals so near the Shore, that Cart-loads have been taken at a Draught, some a Yard long: Mulletts, both grey and red, the Last a firm and most delicious Fish. But the most common, and to be had at all times, is a Fish we call *Urac*, in shape and taste very much like a Carp, and may be called the Sea-carp, with several others. For coated Fish, such as are known amongst us by the Names of *Haus*, *Rousses*, *Roussets*, &c. we have them in great Abundance, and they are bought by the poorer People (for they are but a course Fish) or by those of the better sort for Servants and Labourers, almost for nothing. But the Sea about JERSEY and *Guernzey*, may be styled the Kingdom of *Congers*. They are found there at all Seasons, and some of them have been known to weigh from 40 to 50 l. *Otho de Grandison*, Lord (or Governour) of these Islands in the time of *Edward I.* and *Edward II.* forc'd an Impost upon *Congers* and

**Chap. II.** and *Mackarel* taken about these Islands, and  
*Description* salted for Transportation ; and it amounted  
*of the Island.* to 400 *Livres Tournois* in one Year, at a Penny  
*Tournois* for every *Conger* above 10 l. weight,  
 so transported.

Did I intend a natural History of this  
 Island I may't enlarge further on this Ar-  
 gument, and mention divers more taken  
 hereabouts, and very rarely, if at all, heard  
 of in other Places ; as that little Fish we call  
*Lanxon*, as much as to say, a little *Lance*,  
 ( for 'tis somewhat like one ) which has this  
 property, that 'tis never found in the Water,  
 but in some moving Sand-bank, which is  
 left dry by the Sea at a low Ebb ; and there  
 it hides and buries it self pretty deep, till  
 the Sand being stirred with an Iron, it leaps  
 up, and is taken by handfulls ;, the Night al-  
 so being best for this sport, for the Fish glit-  
 ters when 'tis on the Sand, and is easily seen  
 in the Dark: *Tingrels*, arm'd with very dange-  
 rous Teeth and Prickles: Another of a perfect  
 blood Colour, with a Head and Throat al-  
 most as big as the rest of the Body ; our  
 Fishermen call it *Gronnard*, from the grun-  
 ting Noise it makes: The *Sirene* or Mermaid,  
 so called, because 'tis said to have Breasts  
 and Teats like a Woman ; but this not so  
 commonly seen as the others.

Having so constant a supply from the Sea,  
 we may the better be without Fresh-water  
 Fish ; whereof we have indeed no great  
 Plenty, because we want great Rivers. Ponds

we have, and in those very good Carps. Chap. II.  
There is a Pond especially in the West of the *Description*  
Island, belonging to the *Seigneur* of St. Oñ- *of the Island.*  
*en*, where grows a Carp of so unusual a  
Largeness, and of so excellent a Taste, as is *Excellent*  
scarce to be equall'd in *Europe*. Some have *Carps.*  
been brought into *England*, that were 3 Foot  
4 Inches Long.

The great Deformity of this Island, is *Toads.*  
that almost incredible Multitude of Toads  
that swarm in it, and are chiefly seen in  
Summer, and in moist Weather. Doubtless  
they are a hated sight, to a Stranger espe-  
cially. I cannot certainly say whether they  
are Venomous or not, having never made any  
Experiment thereof. But this I can affirm,  
that, after the most diligent Inquiry, I could  
never hear they do the least harm, tho' they  
lie in our best Water, and among our best  
Fruit when it falls on the Ground. So far  
indeed from it, that 'tis a received Opinion  
among our People, that those ugly Crea-  
tures suck in the Impurities that are in the  
Elements, and thereby contribute to health:  
which they prove by the contrary Example  
of *Guernsey*, which will not suffer a Toad  
to live in it, and yet is thought not to be so  
healthy as JERSEY. Whether it be so or  
no, still it must be confessed, that great is  
the Wisdom of God, to set out the Beauty  
and Perfection of his other Works by such  
Deformities in Nature as these. As for those  
pretty Lizards, which in a hot Summer-day, *Lizards,*  
will

**Chap. II.** will come out, and sun themselves on the side of a Bank, looking earnestly, and as *Description of the Island.* 'twere with pleasure upon a Man as he passes by, scarce flying but when they are pursued, they are rather to be counted a Decoration and an Ornament, than a Deformity to this Island. We receive a greater prejudice from Moles, which abound with Us, to the great Detriment of Corn, but doubtless to the Benefit and Melioration of Fruit-trees, by loosening and turning up the Earth about the Roots.

*Temperature of the Air.*

The Air is temperate, and the Island generally ( praised be God ) very healthy. And it must be so Naturally, considering the Height and Declivity of the Land, and ( as a Consequence of that ) the Rapidity of the Streams, together with those salt and strong Breezes which blow almost continually from the Sea. The Unsalubrity of any Country arising chiefly from a low Ground, and a stagnating Air and Water. Hence Men are often seen to live to a great Age amongst us, if by Excesses ( which is the Fault of the better sort ) or by ill Diet ( which is the Misfortune of the Poorer ) they do not impair their Health, and shorten their Lives. I cannot say we are wholly free of Distempers. The most usual with us is the Ague in the Spring and Autumn ; Neither is the Cold here so intense as in other Places under the same Latitude: But we are more subject to Storms, especially with a Westerly wind, which  
blows

blows here the greatest part of the Year, Chap. II.  
and against which we have no nearer shelter *Description*  
than the great Continent of *America*, the *of the Island.*  
next Land to us on that side.

That vast and amazing Chain of Rocks *Rocks and Tides,*  
that invironeth on all sides this Island, some  
above, some under Water, and the many  
strong Currents and Tides that run betwixt  
these Rocks, render the Access to the Island  
very difficult and full of hazard to those that  
are not well acquainted with the Coast.  
And doubtless the Place is more beholding  
to Nature than Art for the strength of it.  
'Tis very probable that a great part of these  
Rocks was some time firm Ground, which  
the Violence of the Sea hath torn from the  
Shore, washing off the softer and looser Earth,  
and leaving only what it could not dissolve.  
In the Parish of *St. Ouen*, the Sea has with-  
in these 350 Years swallow'd up a very rich  
Vale, where to this hour, at Low-water, the  
Marks of Buildings appear among the Rocks,  
and great Stumps of Oaks are seen in the  
Sand after a Storm. The Records of the  
Exchequer make mention of a People inha-  
biting this Tract. And the little Islet up-  
on which stands *Elizabeth Castle*, was joyned  
to the Land about 1100 Years ago. The  
Tides about these Islands differ from the rest  
of the *Chanel*, and are very extraordinary.  
They receive their first Motion from the  
Mouth of the *Chanel*, and as they go on,  
take different Impressions from the several  
Heads

**Chap. II.** Heads of Land, and narrower Channels through which they pass. At the first flowing, they all tend ESE, to the Bay of St. Michael, by reason of the flatness thereof. The Sea flows and ebbs in that Bay ordinarily from 15 to 20 Miles, and fills it almost in two Hours time. Then the Motion of the Tides is check'd, and they are conveyed Northwards along the Coast, and so in 12 Hours time quite round the Island. The Currents succeed so one another, that there is no still Water here, as in the Channel, at low Ebb.

**Bays.**

The chief Bays and open Places in the Island are St. Ouen, St. Brelard, St. Aubin, Grouville, St. Catharine, Rosel, Bouley, besides other smaller Creeks noted in the Map.

**Division of the Island.**

The whole Island is divided into 12 Parishes, which may be rank'd in this Order.

**Parishes.**

- |   |             |
|---|-------------|
| I. Trinity  | } on the N. |
| II. St. John  |             |
| III. St. Mary.  |             |
| IV. St. Ouen  | } on the W. |
| V. St. Peter  |             |
| VI. St. Brelard, or Breverlard,                       |             |
| find it call'd in Ancient Records, and not S. Brelad. |             |

VII. St.

- |                   |             |
|-------------------|-------------|
| VII. St. Lawrence | } on the S. |
| VIII. St. Helier  |             |
| IX. St. Saviour.  |             |
| X. St. Clement    | } on the E. |
| XI. Growville     |             |
| XII. St. Martin.  |             |

Chap. II:  
Description  
of the Island.

These Parishes are subdivided again into Tythings, which we call *Vintaines*, noted in the Map.

The chief Town is St. *Helier*, a neat well *Towns.* built Town, seated near the Sea, containing *St. Helier.* about a 1000 Inhabitants; who are for the most part Merchants, Traders, and Artificers; The Gentry, and People of the best Fashion living generally in the Country. 'Tis the ordinary Seat of Justice; and here is kept a Market, in the Nature of a Fair, every *Saturday*, where Gentlemen meet for Conversation, as well as for Business.

The next Town of Note is St. *Aubin* (or *St. Aubin.* *St. Albin*) distant about three Miles from the former, and standing in the same Bay. This is also much resorted to by Merchants, by reason of the Port, which is the best in the Island. Here they meet every *Monday*, about matters relating to Navigation and Foreign Trade. The Mole or Peere begun there some Years ago, in imitation of that of *Guernzey*, is a strong and massy Piece, and when finished, will be a great security to our Shipping, which lay before too much open to a S, and SE Wind. It

**Chap II.**  
**Description**  
**of the Island.**

**Number of In-**  
**habitants.**

**Buildings.**

It were superfluous to enumerate other lesser Towns and Villages disperfed through the Island; The whole being indeed fo Populous, and full of Habitations, that it more refembleth a great Village, than an open and champagne Country. The Number of Inhabitants is betwixt 15 and 20 Thousand, reckoning, Men, Women, and Children.

Buildings both Private and Publick, are fubftantial and ftrong, for they are all of Stone. The meaner fort are of the common Stone of the Island. Houfes of Gentlemen, and rich Merchants, are ufually faced with finooth wrought Stone, either fetched from *Chauzé* (the fmall *French* Island mentioned before, which alfo fupplies *St. Malo*) or digged out of *Mont-Mado*, which is a rich inexhaustible Quarry of Excellent Stone in the N. of the Island. The *Chauzé* Stone inclines to a Blue; the *Mont-Mado* to a red-difh Gray, fomewhat like the common Porphyry: Either of them make a handsome fhew. Thefe Buildings will laft 2 or 3 Hundred Years, and would furpafs what I have feen in other Countries, were the Contrivance and Furniture within answerable to the Strength and Beauty without. But our People value themfelves more upon what is folid, and lafting, than upon what is only ornamental: Of which this Reason may be given, that the Tenure of Houfes and Lands here, is not for Life, or a certain Term of Years only, but *in perpetuum*. So that a  
 Man



Man being perfectly Master of what he possesses, no wonder if he takes care that his Layings-out and Improvements be made in such a way, as that they may not only last his own Time, but may pass also to his Posterity, who are to enjoy the Tenement after him. The chief Seats in the Island are the Mannors of St. Oüen, Samarés, Trinity, &c.

Chap. II.

*Description of the Island.*

The Language is French. All publick Preaching and Pleading is in that Tongue; and tho' I cannot say that we speak it with the same Purity and Elegancy which they do in France, yet if it be considered what Jargon is used in some Provinces of that Kingdom, as in Dauphiné, Provence, Languedoc, Gascogne, Bretagne, &c. one will the less wonder that a few uncouth Words and Phrases should still be retained in This, and the neighbouring Islands. So bad as it is, 'twere in my opinion safer and more advisable for English Gentlemen to send their Sons hither to learn the Language, tho' at the hazard of carrying back a Barbarism or two, than to send them as they usually do into France, where they are exposed to the Artifices of Men that lie in wait to deceive, and from whence they seldom return but with Minds so alienated from the Customs, Laws, and Religion of their Country, that the publick Mischief which results therefrom can never be compensated by a few fine Words which they bring home. Tho' French be the common Language of the Island, there

H

are

Chap. II. are few Gentlemen, Merchants, or Principal Inhabitants, but speak *English* tolerably.

*Trade and Manufactures.*

Trade is the Life of an Island. And our People accordingly had before the War, with good Success, applied themselves to the Improvement of it. They were become owners of good Ships, with which they traded not only into *England* and *France*, but likewise into *Spain*, *Portugal*, *Holland*, *Norway*, into the *Baltick-Sea*, and into the English Plantations in *America*. But the Neighbourhood of *St. Malo*, that famous Retreat of French Corsaires, has ruined our Navigation. The constant and standing Manufacture of this Island is that of Stockings, tho' that be also brought down very low since the War. They are wrought of English Wooll, whereof a certain Quantity is by Concession of Parliament allowed to be exported yearly, and manufactured in these Islands. I have heard that 6000 (some say 10000) Pair have been weekly made in *JERSEY*, which were bought up every *Saturday* at *St. Helier* by the Merchants, who dispersed them afterwards into all Parts of *Europe*. From *England* we are supplied with all Kind of Mercery and Grocery-ware, Household-stuff, fine Iron-works, Leather, &c. for which we bring in ready Mony, to a considerable Value.

*Estates.*

Estates here cannot be great, since 'tis not easie for a Man, tho' never so industrious, to enlarge

enlarge his Patrimony in a Country so full of People, and where Land is seldom worth less than 30 years Purchase. And the equal sharing of both real and personal Estates betwixt Sons and Daughters ( which in *England* is call'd *Gavelkind*, and is the Ancient Use of this Island ) destroys many a fair Inheritance amongst Us, by mincing it into many little Parcels, which, in the next Generation, that is, perhaps 20 Years after, must be subdivided again into lesser Portions, and soon, till an Estate is almost dwindled into nothing. Real Estates here consist either in Lands for Rents, but generally the latter, which are for the most part constituted thus: The Proprietor of a Tenement lets it out to another, for so many *Quarters of Wheat* to be paid every *Michaelmas* for ever Yearly. This is called a *Rent*; which may be paid in *specie* from the said Term of *Michaelmas* till *St. Lawrence's Day* next following ||. After which, it must be paid in Money, according to a certain Rule or Standard set by the Royal Court; which always meets upon that Day, and, from an Account that is laid before it of the several Rates which Corn has been sold at in the Market every *Saturday* throughout the Year, determines and fixes the Price of the Rents that remain unpaid. And so the way of reckoning an Estate with us, is not by Pounds, but by *Quarters of Wheat*. Therefore when 'tis ask'd what Estate a Man hath, the Question with us is not, How ma-

Chap. II.

Description  
of the Island.

|| August. 10.


Chap. II. ny Pounds (as in *England*) but how many  
*Description* *Quarters of Wheat* he is worth yearly? The  
*of the Island.* yearly value of a *Quarter of Wheat* seldom exceeds 12 *Livres*, French Mony current in this Island, which is about 18 *Shillings* English. But in cheaper and more plentiful Years, 'tis hardly worth 9 *Livres*, which is less than 14 *Shillings*. This makes Estates variable and uncertain, since they must rise or fall according to the Price that Corn bears each Year in the Market. Another way of creating a Rent is this: A Man that has an Estate and wants Mony, and cannot, or will not borrow any, sells a Summ of Wheat upon himself, that is, he chargeth himself and his Heirs for ever with the Annual Payment thereof. And these Rents have been so multiplied, that 'tis thought there is more Wheat due on that account every Year in this Island, than can grow upon the Island in two Years. All Bonds are not Personal as in *England*, but real, and carry an expresse Hypotheca or Mortgage upon the Estate both real and personal of the Debtor.

*Families and Names.*

In this Island are many very Ancient Families, not only among the *Seigneurs*, and Gentlemen of the first Rank, but even among those of Inferior Quality, several of whom can reckon a Descent, which in some other Countries very good Gentlemen would be proud of. It appears by Names, and Ancient Records, that most of the Families of this

this Island are come out of *Normandy*, or *Bretagne*; Tho' from K. *John's* time downwards some are found of *English* Extraction.

Chap. II.  
*Description  
of the Island.*



Gentlemen that have *Seigneuries* or *Fiefs* in this Island, are usually call'd by the Names of them. Thus Sir *Charles de Carteret*, Seigneur of *St. Ouen*, is with us called *Monsieur de S. Ouen*, and so of others.

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## CHAP. III.

## Military Government.

Chap. III.  
Military Government.

Governor.

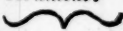
THE Chief Officer in this Island, He that more immediately represents the King's Person, and that hath the Precedency of all others, is the Governor.

While this Island was subject to the Kings of France of the First and Second Race, the Governors were styled *Comites* and *Duces*, i.e. Counts, and Dukes. Thus *LOYESCON* who commanded here in the time of *Clothaire* and *Charibert*, *an. 560*, is called *Comes*, a Count: as we learn from the Compilers of the Life of *St. Magloire*, the Apostle of this Island (*k*). And *AMWARITH*, who had the same Command about 200 Years after, *viz.* in the time of *Charlemagne*, is called *Dux*, a Duke; as appears from that ancient Fragment mentioned before (*l*), where 'tis said concerning *Geroaldus* Abbot of *Fontenelles*, that, *is quadam Legatione fungebatur in Insulam cui nomen est AUGIA (JERSEY) cui tempore illo præsuit Dux nomine AMWARITH*. Under the Dukes of Normandy, and the first English Kings after the Conquest, the Government of all these Islands

was

(*k*) Vid. *infra*  
*Cap. V.*

(*l*) *Suprà*  
*Cap. I.*

was generally given to one Man; who was Chap. III.  
 called sometimes *Dominus*, sometimes *Balli-* Military Go-  
*vus*, sometimes *Custos Insularum*, i. e. Lord, vernment.  
 Bailly, or Warden of the Islands. But K.   
 Henry VI. gave them, together with the  
 Isle of *Wight*, to *Henry de Beauchamp*, Earl of  
*Warwick*, with a very extraordinary Title,  
*viz.* with that of KING, as is seen from an  
 ancient MS. Chronicle of the Abby of  
*Tewkesbury*, mentioned by Mr. *Selden* (m), (m) Mare  
 where this Passage is found. *Obiit Dominus* Clausum, Lib.  
*Henricus Nobilis Dux Warichia, & Primus* II. Cap. XIX.  
*Comes Angliæ, Dominus le Dispenser, & de* pag. 375.  
*Abergevenny, REX de Insulis Wight, &*  
*Gardsey & JARDSEY, Dominus quoq; Ca-*  
*stri Bristolis cum suis annexis, 3 Id. Junii,*  
*A. D. 1446. Anno Etatis sue XXII. apud*  
*Castrum de Hanleya, et sepultus est in medio*  
*Chori Theokesburia.* When these Islands  
 were separated, and particular Governors as-  
 signed to each of them, they were styled  
*Captains*, and at last *Governors*, which Ti-  
 tle was fixed by a special Ordinance of Coun-  
 cil June 15. 1618.

This Office has been anciently held by  
 Persons of very great Note and Eminency;  
 and we can reckon among our Governors,  
 the Sons and Brothers of some of our Kings:  
 As (1) *John* Earl of *Mortain* (afterwards  
 King) who had these Islands given him in  
 the Nature of an Appanage by K. *Richard I*  
 his Brother: (2) Prince *Edward* (after-  
 wards K. *Edward I.*) Son and Successor of

Chap. III. *Henry III*, who held them in the same Right  
*Military Government.* in the time of his Father : (3.) *John Duke*  
 of *Bedford*; and (4.) *Humphrey Duke* of  
*Glocester*, Brothers of *Henry V.*

List of the Go-  
 vernors,

I shall only give an Account of the Go-  
 vernors of *JERSEY*, from the time of *Ed-ward IV*, ever since which time this Island  
 has always been a separate Government.

Sir *RICHARD HARLIS-Edward IV.*  
*TON*, Vice-Admiral of *England*,  
 who assisted *Philip de Carteret* in *Edward V.*  
 the Reduction of *Mont-Orgueil*  
 Castle, which had been seized by *Richard III.*

(n) *Vid. supra*  
*pag. 23.*

the *French* (n), and had thereup-  
 on the Government given him  
 for his good Service. He died  
 in *Flanders*.

*MATTHEW BAKER Esq; Henry VII.*  
 Groom of the Bed-Chamber to  
*K. Henry VII*, ejected afterwards  
 for Misdemeanors.

*THOMAS OVERAY*; lyeth  
 buried in *St. George's Chappel* in  
*Mont-Orgueil* Castle; then the  
 Residence of the Governors.

Sir *HUGH VAUGHAN*;  
 who was also at the same time  
 Lieutenant of the *Tower of Lon-*  
*don*, Captain of the King's Life-  
 guard, &c. Resigned the Gover-  
 nment to —



**Henry VIII.** Sir **ANTHONY UGHTRED**, Chap. III. whose Wife was nearly related to *Military Go-*  
*Q. Anne Bolein.* He came in by *vernment.*  
that interest, and lies interred in  
St. George's Chappel in *Mont*  
*Orgueil.*

Sr. **ARTHUR DARCY**, who  
sold the Government to —

**THOMAS** Lord **VAUX** of  
*Harrowdon*; and he soon after  
to —

Sir **EDWARD SEYMOUR**,  
Viscount *Beauchamp*, afterwards  
Duke of *Somerset*, and Lord Pro-  
tector.

**Edward VI.** Sir **HUGH PAWLET**, Trea-  
surer to K. *Henry* the 8th's Ar-  
**Q. Mary.** my at the Siege of *Bologne*, Go-  
vernor of *Havre de Grace*, an.  
**Q. Elizab.** 1563. that Town being then in  
the hands of the *English*: Re-  
puted one of the best, and most  
experienced Captains of his  
Time: A zealous Promoter of  
the Reformation in this Island,  
of which he was Governor about  
24 Years: was succeeded by his  
Eldest Son—

Sir **AMIAS PAWLET**, Pri-  
vy Councillor to *Q. Elizabeth*,  
Ambassador in *France* an. 1576,  
who had also for Successor—

Sir

Chap. III. Sir *ANTHONY PAWLET*,  
*Military Government.* his Son ; and he——

*WALTER RALEIGH*,  
 whose very Name is an honour  
 to this Island. But the unfor-  
 tunate Gentleman held the Go-  
 vernment not long, it being for-  
 feited, together with all his o-  
 ther Great Offices and Prefer-  
 ments, by his Attainder in the  
 First year of K. *James I.*

Sir *JOHN PETTON*, Lieu- K. *James I.*  
 tenant of the *Tower*, &c.

Sir *THOMAS FERMYN*,  
 who in his Life-time did also  
 obtain the Reversion of the Go-  
 vernment after him for his  
 younger Son——

*HENRY FERMYN*, created K. *Charl. I.*  
 first Lord *Fermyn*, then Earl of  
*St. Alban's*, Knight of the most  
 Noble Order of the Garter, &c.  
 To whom was afterward joyned  
 in the same Patent, and with e-  
 qual Authority——

Sir *GEORGE DE CARTE-  
 RET* ; who with so great Va-  
 lour held the Island for the  
 King against the whole force of  
 the Parliament in the late Civil  
 Wars (o). After the Restoration  
 in 1660, made Vice-Chamber-  
 lain, and one of the Lords of the

Privy.

(o) *Supra pag.*  
 31.

Privy-Council ; and lastly, created Baron *Carteret* of *Hains* in *Military Government*. After the said Restoration, the Earl of *St. Alban's* remained sole Governor ; but a War ensuing with *France* *an.* 1665, the Earl was allowed 1000 *l. per annum* out of the Exchequer : And——

*K. Charl. II.*

Sir *THOMAS MORGAN*, that renowned and valiant Commander, was sent into this Island, and made Governor by special Commission: After whose Decease the like Commission was directed to——

Sir *JOHN LANIER* (p), (p) *Slain at the Battel of Steinkirk, an.* 1692.  
recalled upon the Earl of *St. Alban's* Death, to make way for——

The Right Honourable *THOMAS* Lord *FERMYN*, Baron of *St. Edmund's Bury*, who claimed the Government by virtue of a Grant to him formerly made by Letters Patent under the Great Seal, in case he survived his Uncle, the said Earl of *St. Alban's*. He holds it, as the Earl did, for Life.

This

**Chap. III.** This Office has been held sometimes *Military Government*. *Quamdiu Domino Regi placuerit* (q); sometimes, *Quamdiu se bene gesserit* (r); sometimes for a certain and determinate number of Years (s); sometimes during Life (t); sometimes during Life and five years beyond it (u); and at other times again, without Condition, or Limitation of time (w).

**JERSEY**, *ead. anno.* Wilhelmus de Sancto Johanne, *Cust. Insular.* an. 11. H. 3. Arnauldus de S. Amando, & Philippus de Carteret, *Custodes Insular.* an. 16. H. 3. Philippus de Albimar, & Wilhelmus de S. Johanne, *Custod. Insular.* *ead. an.* Johannes des Roches, *Cust. Insular.* an. 2. E. 3. Thomas Hampton, *Cust. Insular.* an. 15. E. 3. (r) Richardus Harliston, *Capitaneus de JERS.* an. 17. E. 4. Hugo Vaughan, *Capitan. de JERS.* an. 17. H. 7. (s) Thomas de Ferrariis, *Cust. Insular.* *pro termino* 6 annorum, An. 12. E. 3. *Idem iterum Custos, &c. pro termino* 5 annor. An. 17. E. 3. Johannes Nanfan, *Custos Insular.* *pro termino* 5 annor. & dimidia. An. 31. H. 6. *Idem iterum Cust. &c. pro termino* 10 annor. An. 36. H. 6. (t) Hugo Calvilegh, *Cust. Insular.* an. 50. E. 3. Johannes Golafre, *Cust. Insular.* an. 11. R. 2. Edmundus Comes Rutland, *Cust. Insular.* an. 20. R. 2. Matthæus Baker *Cap. de JERS.* an. 3. H. 7. Thomas Overay, *Cap. de JERS.* an. 15. H. 7. Antonius Ughtred, *Cap. de JERS.* an. 17. H. 8. Arthurus Darcy, *Cap. de JERS.* an. 25. H. 8. Thomas Vaux Dominus de Harrowdon, *Cap. de JERS.* an. 27. H. 8. Edwardus Seymour Vice-comes Beauchamp, *Cap. de JERS.* an. 28. H. 8. Hugo Pawlet, *Cap. de JERS.* an. 4. E. 6. Amias Pawlet, *Cap. de JERS.* an. 13. Eliz. Antonius Pawlet, *Cap. de JERS.* an. . . . Eliz. Walterus Raleigh, *Cap. de JERS.* an. 43. Eliz. Johannes Peyton, & Thomas Jermyn, *Gubernatores de JERS.* an. 1. Jac. 1. Henricus Dominus Jermyn, *Gub. de JERS.* an. 2. Car. 1. Georgius de Carteret. *id.* (u) Otto de Grandifono, *Cust. Insular.* an. 5. E. 1. (w) Edmundus Rosse, *Cust. Insular.* an. 47. E. 3.

*Revenue of the Governor.*

For the support of this Dignity, the King allows the Governor his whole Revenue in the Island; a small part thereof only deducted

deducted for Fees and Salaries to the Officers of the Court. In ancient times this Revenue consisted of seven Mannors, which were the Patrimony of the Dukes of *Normandy*. These Mannors were by *K. Henry II.* let out in Fee-farm to several Tenants, at the rate of about 460 *Livres Tournois* yearly, which, with many other old Money-Rents (expressed in the *Extent*, or Register of the King's Revenue, made *an. 1331.*) amounted to more than 1000 *Livres Tournois per annum*. A *Livre Tournois* (*Libra Turonensis*) being then worth as much as an English *l. Sterling* is now. This, together with several Parcels of Lands and Meadows, Wheat-Rents, Escheats, Forfeitures, Fines, Services, Wardships, Customs, and other Emoluments, not reckoned in Money, made up a pretty Revenue for the King in so small an Island. But now the *Livre Tournois* is fallen so low (*viz. 13.* of them for one *l. Sterl.*) that the said 1000: *Livres Tournois* are brought under the value of 100. *l. Sterl.* And many Alienations have been made of the Revenue. It consists now chiefly in the Tythes of Ten Parishes of the Island, which having been appropriated to several Religious Houses in *Normandy* in time of Popery, were at the Reformation assumed by the Crown: As also in several Quarters of Wheat-Rents, and other Profits certain and casual, estimated all together at about 15000 *Livres Tournois per annum*. Out of which Sum the aforementioned

Chap. III.

Military Government.

Chap. III.  
*Military Government.*

(\*) In Memorand. Scaccarii de An. 5. Regis Edw. 3. inter Brevia, &c. --- Rex Thesaurariis & Baronibus suis de Scaccario, Salutem. Mandamus vobis quod dilecto & fideli nostro Johanni des Roches nuper Custodi Insularum nostrarum de JERESEY, Gernesey, Serk, & Aureney, 40 Libras per annum, pro Feodo suo, de tempore quo Custodiam Insularum earundem ex Commissionem nostram habuit, in Composito suo ad Scaccarium praedictum allocari faciatis. T. meipso apud Westm. 21. die Dec. 4n. Regni nostri 4.

ned Deductions are made; the rest belongs to the Governor; who has a peculiar Officer appointed by himself for the Collection of the said Revenue, called *Le Receveur du Roy*, i. e. The Kings Receiver.

Our Kings heretofore did use to dispose of this Revenue more thriftily than they now do; laying on it the whole Charge of the Garrison; causing the remainder to be accounted for in the Exchequer, and out of that allowing a Proportion to the Governor, greater or less, as he could agree, or had an Interest in the Prince's favour. Thus *Johannes des Roches*, who was Warden of these Islands in the time of *Edward III.* had but 40. *l.* a year allowed him out of the said Revenue (\*). The more usual way was for the Governor to receive the whole Revenue, paying a certain Sum yearly out of it into the Exchequer. Thus *Thomas de Ferrariis*, and *Thomas de Hampton*, who succeeded *Johannes des Roches*, paid 500 Marks yearly. The last that had it with these Deductions was *Sir Thomas Jermyn*, Grandfather of the Lord *Jermyn* the now Governor, who paid 300 *l.* yearly to the King. Nor was this without Exceptions: For *Philip de Aubigny*, *Drogo de Barentin*, *Otto de Grandison*, &c. in the time of K. *John*, *Henry III*, *Edward I*, &c. received and enjoyed the whole Revenue, as the Governors do now, *sine Computo*. So did those Sons and Brothers of our Kings, mentioned before, who seem to have had

had these Islands *in purum & absolutum Domini- Chap. III.*  
*nium*. Therefore very properly called *Domini Military Go-*  
*Insularum*, Lords of the Islands. *vernment.*

The Power of the Governors has likewise been greater or less as their Commission has from time to time been either enlarged, or

Power of the Governor.

restrained. Anciently the Governor here was a Person of a mixt Power. I mean that he had the Administration of both the Civil and Military Authority: He was Judge, as well as Governor: had the disposal of all places in Court, Church, or Garrison. Then he was called *Bailly* (1), which in the Gottish Tongue signifies *Custos*, i. e. a Warden, or Guardian (2). For he was both *Custos Terræ*, and *Custos Legum*, Guardian of the Land, and Guardian of the Laws. In process of time he reserved only the Exercise of the Military and Commanding part to himself; transferring the Judicial to another, who remained in possession of the Title of *Bailly*, while himself retained the sense and meaning of the Word in the new Name of *Custos* or *Warden* which he assumed. Thus, that Office which at first was but one, became two: Yet so as that

(1) An. 10. H. 3. *Dominus Rex commisit Ricardo de Gray Insulas de JERSEYE, & Gerneseye, cum aliis Insulis & Castris Domini Regis ibidem, Custodiendas, &c. T. R. apud Westm. &c.*—*Et mandatum est Militibus, liberis Hominibus, & omnibus aliis existentibus in eisdem Insulis, quod eidem Richardo, tanquam BALLIVO Domini Regis, in omnibus ad prædictas Insulas pertinentibus, intendentes sint & respondentes. In cujus, &c. T. ut sup.*

Eodem an. *Dominus Rex commisit Hugoni de S. Phileberto Insulam de JERSEYE cum Castro ibidem, Custodiend. &c.*—*Et mandatum est Militibus, &c. quod ei tanquam BALLIVO Domini Regis, &c. T. R. apud Westm. 12 die Febr.*

An. 11. H. 3. *Dominus Rex commisit Wilhelmode S. Johanne Insulas de JERESEYE, & Gerneseye, cum aliis Insulis & Castris suis ibidem, Custodi-*

he

end. &c. T. R. apud Westm.  
 &c. Et mandatum est Militibus, &c. quod eidem Wilhelmotantum **BALLIVO** Domini Regis, &c. T. ut sup.  
 (x) Vid. Spelman. Glossar. in voce Baillivus, pag. 68.

Chap. III.  
**Military Government.**

struction to a free Administration of it, since the Court must still be at the beck and devotion of him from whom it derived its Power. K. *John* began, and K. *Henry VII* completed the Establishment of a Jurisdiction in this Island independant from the Governor, taking away from him the Nomination of the *Bailly*, *Dean*, *King's Officers*, and *Viscount*; And forbidding him to interpose his Authority in Matters that were purely of the Cognizance of the Civil or Ecclesiastical Tribunals. But tho' the Governor has no proper Jurisdiction, yet in regard of his Dignity, his Presence is often required in Court, and is in some sort necessary for the passing of some Acts there: viz. Such as concern the King's Service, the Maintenance of the publick Peace, the Safety and good Government of the Island. He has the Court under his Protection, being obliged to assist the *Bailly* and *Jurats* with his Authority in the Execution of their Judgments. He has Power, with the Concurrence of two of the *Jurats*, to arrest and imprison any Inhabitant upon vehement Suspicion of Treason. No Inhabitant may go out of the Island, no Foreigner



reigner may come, sojourn, or settle in it Chap. III.  
without his Knowledge and Privy. No *Military Go-*  
Estates can be held, nor any thing therein *vernment.*  
transacted, without his Consent; but this  
with some restrictions, of which more here-  
after. On the other side, at his Admission,  
and before he can do any Act of Govern-  
ment, he must produce his Patent or Com-  
mission in Court, and must swear to maintain  
the Liberties and Priviledges of the Island.

His more immediate Province is the Cu-  
stody of Their Majesties Castles, the Com-  
mand of the Garrison, and Militia of the  
Island: Which last he models, and regulates  
at Pleasure.

The Place of his Residence is *Elizabeth* Elizabeth  
*Castle*; called also the *New Castle*, in dis- *Castle.*  
tinction to *Mont-Orgueil*, which is the  
*Old Castle*. Sometimes again called *L'Islet* \*, \* Q. d. *Insu-*  
because seated in a small Island in *St. Aubin's* *letta.*  
Bay, taking up the whole Ground or Com-  
pass of that Island: Environ'd round on all  
sides by the Sea, unless at Low-water, at  
which time there is access to it over the  
Sands, especially over a Beach of Pebbles cal-  
led the Bridge; but neither is this dry above  
6 Hours, sometimes not 5: Distant from the  
nearest Land 663 Geometrical Paces: Well  
mounted with Ordnance, and stored with all  
necessary Provisions of War: Begun *An.*  
1552, in Consequence of an Order of Coun-  
cil of *An.* 1551, injoyning the Bells of the  
Island (leaving only one in every Church)

Chap. III. to be sold, and the Money to be applied to  
*Military Government.* the Building thereof: Impregnable by its  
 Situation, and on which (under God) depends the Safety of the whole Island.

I wish I could give the same account of  
 Mont-Orgueil *Mont-Orgueil Castle*, standing aloft on a steep  
 and craggy Promontory in the East of the  
 Island, and as it were proudly overlooking  
 the neighbouring Coast of *France*. But that  
 Noble and Ancient Castle, under whose  
 Walls the *French* have so often digged their  
 Graves, falls daily to decay, through want  
 of repair. 'Tis somewhat awed by a Hill,  
 that lies too near it on the Land-side.

St. Aubin's  
 Fort.

The Fort or Tower of *St. Aubin*, is of  
 good use for the Defence of the Road, and  
 for the Security of our shipping, which lie  
 safe in the Mole, or Peer, under the Guns  
 of the Place.

Grosnéz Cast.

These are all the Fortresses in this Island,  
 where the King keeps Garrison, both in  
 Peace and War; For tho' the Map mentions  
 another Castle called *Grosnéz* in the West  
 of the Island, it is no Garrison, but an old  
 useless Fortification, of which little remains,  
 and noted now only for having been the re-  
 tiring Place of *Philip de Carteret* and his  
 Party, when he stood out against the *French*  
 in the latter End of *K. Henry VI.*

Batteries, &c.  
 about the Coast.

For the Security of the Coast against a  
 Descent, the Inhabitants have lately in such  
 Places as are most exposed to that Danger,  
 raised Redoubts and Batteries, planted with  
 good

good Cannon, which his Majesty at our  
humble Suit was pleased to give us out of his  
own Stores for that Service. Every Parish  
has moreover two or more small Brass Guns,  
with Officers, Gunners, and Pioneers, to  
attend them, making in all a Train of be-  
twixt 20 and 30 Pieces of Artillery, ready to  
march where there is occasion.

Chap. III.  
*Military Go-  
vernment.*

The Garrison consists of a Battalion of  
the Right Honourable the Earl of *Mon-*  
*mouth's* Regiment. The rest of his Lord-  
ship's Regiment Quarters in *Guernsey*.

*Militia.*

The Militia, or Train'd-bands, are formed  
into 4 Regiments of Infantry, and one Troop  
of Horse, making in all about 3000 Men.  
They are all Fire-Arms, Pikes being of no  
use in this Island.

## CHAP. IV.

*Civil Jurisdiction.*

Chap. IV.  
*Civil Juris-*  
*diction.*

*Bailly and Ju-*  
*rats.*

(a) Baillivus  
*apud Gallos*  
*Splendidus Ma-*  
*gistratus est.*  
Spelman.  
Glossar. pag.  
68.

WE have shewn in the former Chap-  
ter how the Office of *Bailly* was se-  
parated from that of Governor, which two  
Offices were formerly united in the same  
Person. The *Bailly* (under the present Con-  
stitution) is an Officer of great Dignity (a).  
He is the Head of Justice, and holds imme-  
diately by Patent from the King, whom he  
represents in Court, where his Seat is raised  
above that of the Governor. He can never-  
theless act only in Conjunction with the *Ju-*  
*rats*, who are Twelve in Number, of Royal  
Institution, but of Popular Election. For K.  
*John* being in JERSEY, and finding Justice  
administred there in a manner Arbitrarily,  
by one who had the Civil and Military  
Power in his hands, assisted only by those  
we call *Francs Tenans*, and that only thrice  
a Year, and he not tied to follow their Opi-  
nions neither, thought fit to establish such a  
Form of Jurisdiction here, as was used in *Gas-*  
*cogne*, consisting of Twelve Men, who are to be  
perpetual Assistants to the *Bailly*, and Eligi-  
ble by the People. These he called *Coro-*  
*natores*

natores *Jurati*, i.e. sworn Coroners; as may Chap. IV.  
be seen from the Charter of their Creation, *Civil Juris-*

(b) *Instituit duodecim Coronatores Juratos, ad dictionem.*

*Placita, & Jura Spectantia ad Coronam, Custodienda, &c. Coronator* (says the Learned

Sir Henry Spelman) *apud nos Corone Officia-*

*lis pervetustus est, ad tuendam pacem & Dig-*

*nitatem Regiam in quovis Comitatu, populi*

*Suffragiis Constitutus* (c). In ancient Times (c) Glossar. in

(says my Lord Coke) *it was an Office of great*

*Estimation in England, for none could have it*

*under the Degree of a Knight* (d). These Twelve (d) IV Part of

Magistrates in JERSEY are now known

only by the Name of *Jurats*, or *Justiciaries*, *Cap. LIX.*

that of *Coroners* being wholly disused. *pag. 271.*

The Manner of choosing a *Jurat* in JER-

SEY is this. Upon a Vacancy the Court

issues out an Act or Writ of Election: fix-

ing the Day, (which is always a *Sunday*) and

appointing one from their own Body to collect

the Votes and Suffrages of the People. The

Act or Writ is delivered to the Minister,

who after Divine Service reads it from the

Pulpit, setting out usually in a short Speech

the Duties and Obligations incumbent on

those that aspire to that Magistrature, and

recommending to the People the Choice of

such a one, whom for his Knowledge and

Abilities, his Integrity and Love to Justice,

his Zeal for the Established Religion and

Government, and his Interest in the Affec-

tion of his Country, they know to be of

all others fittest for the Place. The People

(b) Constituti-

ones Johannis

Regis, Art. 1.

Vid. infra Cap.

VII.

(c) Glossar. in

voce, pag. 192.

(d) IV Part of

the Institutes.

Cap. LIX.

pag. 271.

*Election of the  
Jurats.*

Chap. IV. give their Voices at the Church-door, as they go out, and he that has the Majority throughout the Island, is declared duly Elected.

Without the Verdict and Opinion of these Twelve, the *Bailly* cannot pronounce. In case of Inequality of Opinions he is bound to follow the Majority : But he has the Choice betwixt Opinions equal in Number.

Officers of the Court.

Besides the *Bailly* and *Jurats*, there go to make up the Court several other Officers; as the King's *Procurator* and *Advocate*, or the *Attorney* and *Sollicitor*; The *Viscount*, or *Sheriff*; The *Greffier*, or *Clerk*; Six *Advocates*, or *Sollicitors* at the Bar; Two *Dennunciators*, or *Under-Sheriffs*: And lastly, the *Usher*, no sworn, but a necessary Officer to keep Order.

Power of the Court.

(e) Constit. Johannis Regis, Art. V. Vid. infra Cap. VII.

The Court thus composed, is a *Royal Court*, having Cognizance of all Pleas, Real, Personal, Mixt or Criminal, arising within the Island, Treason only excepted, and some other *Casus nimis ardui* (e), which are reserved to the King, and the Lords of His Majesty's most Honourable Privy-Council, to whom alone this Court is subordinate. Nor can the Inhabitants of this Island be sued in any of the Courts of *Westminster*, for any Matter or Cause arising (as is said before) within the same.

In the latter Days of K. *Edward I*, and throughout the weak Reign of *Edward II*, a great Breach was made in the Jurisdiction of

of the Court, by the Itinerant Judges sent Chap. IV. over hither; who, as the Records of that *Civil Juris-* Time do witness, so plied the poor Inhabi- *dition.* tants with *Quo Warranto's*, calling into Question not only Publick Grants and Priviledges, but also Private Men's Titles and Properties, remitting them for further Vexation to the King's-Bench, that none was secure of what he possessed. Which Troubles continued till the 5th Year of *Edward III.*, when, upon a Petition of both Islands, still to be seen in the Treasury at *Westminster* (f), (f) Mich. 6. that horrid Justice was superseded, and the E. 3. Jurisdiction of the Court, as established by *K. John*, with other Publick Franchises and Immunities, were confirmed to us by a new and general Charter.

Appeals may be brought before the Council-Board in Matters of Civil Property above the Value of 300 *Livres Tournois*: But no Appeal is admitted in Matters of less Value; nor in Interlocutories, nor in Criminal Causes, which are judged here without Appeal.

I cannot but observe that the Case of Treason, excepted from the Cognizance of the *Bailly* and *Jurats*, has scarce afforded an Example amongst Us for these 500 Years last past. *Geoffrey Wallis* (or *Welch*) Seigneur of *St. Germain*, *Handois*, and other Fiefs in this Island, was indeed slain in *Barnet-Field*, with the Earl of *Warwick* his Master, fighting against *Edward IV.*, for which his Estate

Chap. IV. was seized into the King's hands. But it was afterwards by *Henry VII* declared no Felony, because done in Favour of *Henry VI*, ( who was then still living ) in a doubtful Quarrel; and the Estate was adjudged and ordered to be restored to *John Fantleroy* his next Heir. Sir *Richard Harliston*, who was Governor of, and had an Estate in this Island, siding on the other hand, with the House of *York*, in the Reign of K. *Henry VII*, deluded by the Artifices of the Lady *Margaret*, and the Impostures of *Perkin Warbeck*, forfeited also both his Government and Estate in this Island. But neither will this Example reach our Case.

Commissioners  
Roya<sup>l</sup>

Our Kings have used both in ancient and latter Days, and upon extraordinary Occasions, to send over hither special Commissioners, authorized under the Great Seal, who have always been Persons of Quality and Learning, as Doctors in the Civil Law, Masters in Chancery, &c. whose coming suspends the Ordinary Forms and Procedures of Justice. But First they must shew their Commission in Court, and have it there Enrolled: And then they can in no Case concerning Life, Liberty, or Estate, determine any thing contrary to the Advice and Opinion of the *jurats*, who are to Sit, and Judge, and make conjunctive Records (g) of their Proceedings with them. My Lord Coke owns, that *the King's Writ runneth not in these Islands. His Commission under the Great Seal*

(g) Constit.  
Johan. Regis  
Art. V. & VII.  
Vid. infra Cap.  
VII.



Seal doth. But the Commissioners must judge according to the Laws and Customs of these Isles (b).

Chap IV.  
Civil Jurisdiction.

The Laws of this Island, which are to be the Rule and Measure of the Judgments of the Court, differ in many things from those in *England*. The particulars are too many to be instanced in. In general our Laws may be reduced under these four Heads,

(b) IV. Part of the Institut. Cap. LXX. pag. 286. Laws.

1. The Ancient Custom of *Normandy*, as it stood before the Alienation of that Dutchy in the time of *K. John*, and was contained in an old Book called in the Rolls of the Itinerant Judges, *La Somme de Mançel*, or *Mançel's Institutes*. For whatever Changes have since that time been introduced into the said Custom by French Kings, or French Parliaments, they can be of no force here. This is to us what the Statute Law is in *England*.

Custom of Normandy.

2. Municipal and Local Usages, which are our Unwritten and Traditionary Law, like the Common Law in *England*.

Local Usages.

3. Constitutions and Ordinances made by our Kings, or their Commissioners Royal at their being here; with such Regulations and Orders as are from time to time Transmitted hither from the Council-Board.

Orders of Council.

4. Precedents, and former Judgments recorded in the Rolls of the Court. These last indeed cannot in strict and proper Sense be said to be Laws, wanting the Royal Authority, without which nothing can be Law. Nevertheless great Regard is had to them upon

Precedents.

occa-

**Chap. IV.** occasion. The same may be said of such  
**Civil Juris-** Political and Provisional Ordinances as are  
**diction.** made by the Court, or the Assembly of the  
 States; like those made by other Bodies Corporate for the good Government of those Societies.

No Act of Parliament can reach us, where-  
 in we are not particularly named (i).

(i) Lord Coke  
 IV. Part of the  
 Institut. Cap.  
 LXX. pag. 287.

It has been often wished that our Laws were collected, methodized, and digested into a System or Code. A work that would be of very great Use, in regard that not only all Causes and Suits within the Island, whether by the ordinary Judges, or extraordinary Commissioners from *England*, but Appeals also before the Council-Board, are to be determined *secundum Leges & Consuetudines Insulae*: which Laws and Customs not being so generally known, 'tis scarce possible but Judgment must sometimes be given contrary to the same.

Causes are not brought into Court, or treated there confusedly. For tho' there be but one Tribunal, and the Judges always the same Persons, yet because matters are of more or less moment, or require different Methods of proceeding, they have been distinguished into IV Classes or Courts.

**Court of Inhe-**  
**ritance.**

The First is of those that respect the Property of Lands, and Inheritance. These we decide in a more solemn Assembly call'd *La Cour d'Heritage*, i. e. The Court of Inheritance: Which continueth so many days as are necessary to dispatch all Causes of that Nature.

Nature. The first day is kept very Solemnly. Chap. IV.  
 For then all the *Jurats* are bound to be present, and without seven of them at least the *Civil Jurisdiction*.  
 Court cannot be kept that day, without absolute necessity, which is tied to no Rule. ~~~~~  
 The Governor, or his Lieutenant, useth to assist that day, and to answer in the King's Name for such Fiefs as are in His Majesty's hands, and owe Suit of Court. All Gentlemen, holding Fiefs from the Crown by that Service called in Records *Señta Curia*, are also to answer to their Names, or be Fined. The *Advocates* renew their Oaths. The *Provosts*, and *Sergeants*, who are inferior Officers belonging to the King's Revenue, are to declare all Escheats, Forfeitures, and other Contingent Profits and Emoluments accrued to his Majesty. There also Political Sanctions relating to Order and Government are continued, or if need be abrogated, and new ones made. The Governor, in the King's Name, or the Receiver by Command of the Governor, causeth a solemn Dinner to be prepared, where, besides the Court, those Gentlemen before mentioned holding Fiefs from the Crown, have Right to Sit, and are therefore said in the *Extent* and other Records, *edere cum Rege ter in anno*, i. e. to eat with the King three times a Year, a Custom doubtless older than the Conquest. 'Tis said *Three times a year*, because we have so many Terms, and this Court is the opening of every Term. After the first day, the Court

Chap. IV. Court is continued every *Tuesday* and *Thursday* following, till the end of each Term: *Civil Jurisdiction.* Three *Jurats* always assisting; the XII taking

it by turns. Matters treated in this Court are Partitions of Inheritance betwixt Co-heirs, Differences betwixt Neighbours about Bounds, new Disseisines, and Intrusion upon other Men's Lands, Challenges of Propriety, Pre-emption between Kindred, which we call *Retraict Lignager*, (*Retraictus Consanguineorum* and *Jus Protimeseos*) the Property of Rents due for Lands let out in Fee-farm, which we call *Rentes Foncières*, (*Reditus Fundarius*) and such like.

*Court of Catel.* The Second Court is that of *Catel*, i. e. Chattels or moveables. For tho' at present few Causes purely Mobiliary be determined in this Court (as they were before the Extraordinary Court was set up) nevertheless as in the Court of *Heritage* Rents are demanded without Relation to Arrears, so in this Court they are demanded principally with reference to those Arrears. But the principal Business of this Court is the Adjudication of *Decrees*. Now a *Decree* with us is this. When a man becomes unable to pay his Debts, he comes into Court, and there publicly makes Cession of his Estate; which we call *Renoncer*, i. e. To renounce. Whereupon all that have been concern'd with him are by Three Proclamations, and a Fourth Peremptory, cited to come in, and insert into a List or Book, made for that purpose

purpose, their several Demands. Which Chap. IV. done, they are called in Order; That is to *Civil Juris* say, the last Creditor first, and so on Retro-*diction.* grading. The last Creditor is asked whether he will substitute, or put himself in the place of the Cessionary, and take the Estate, paying the Debts that are of an older Date than his: Which if he Assents to, the *Decree* is at an end, and he is put into Possession of the Estate. Such a one we call a *Tenant*. If he says he will rather lose his Debt than take the Estate on condition to satisfy the other Creditors, the Judge proceeds to him that stands next in Order of Time, and so on, Retrograding still, and propounding the same Question to all, till so many have *Renounced* or quitted, that the encumbered Estate being sufficiently purged, some one be found, who may with little or no loss venture to take the Estate, paying those Debts that remain *Unrenounced*. This is our way of sharing a broken Estate betwixt Creditors. And few of the Debts are Chyrogaphal, i. e. upon Bond, in comparison of those that result from Arrears of Rents; and Rents bought for Arrears of other Rents. Wherein we have a Custom as old as it is injurious, *viz.* That Arrears of Rents shall have the same Privilege as the Rent it self; and that a Rent bought in payment of Arrears of a *Rent-Fonciere*, shall retain the Nature of those Arrears, and consequently of the Rent of which they are Arrears.

Chap. IV. Arrears. Which absurdities have been so long followed that they have strangely intangled our Practice in Point of *Decrees*, *Civil Jurisdiction*.

*Criminal Causes.*

Criminal Causes are also treated in this Court, and that usually on the first day or opening of it : Whereat Seven *Jurats* at least must be present, if the Crime be Capital ; before which Proclamation is made that *Justice Royale*, i. e. The Pleas of the Crown shall be held that day ; otherwise Three *Jurats* may suffice to hold the ordinary Pleas of *Catel*.

*The Court Extraordinary, or Billet.*

The Third is the *Extraordinary Court* ; called also *le Billet*, because all Causes treated therein, are heard in Order, as they are set down in a *Billet*, or scrowl, made for that purpose, and affixed to the Court-gate, to the end that all Persons concerned may know when their attendance will be required in Court. This Court was first brought in Subsidiarily, when Causes grew too numerous for *Catel*, and is intended for the decision of Matters of less moment, as Arrears of Rents not exceeding ten years, Arrests, Distrainings, and such like Mobiliary things.

*The Saturday Court.*

The Fourth is the *Saturday Court* ; which is also an Extraordinary and Subsidiary Court, and properly but a Branch of the former. In Term-time it is appointed principally for the King's Causes, and those of the *Jurats*, who are not tied to the common Rule of *Billet* : Out of Term, for Causes of Brevity which admit no delay, as Causes of Admiralty, Contracts betwixt Merchants, Breaches of the

the Peace, and other daily Occurrences which require no Solemnity, but may be dispatched *de plano*. And note that when Sentence has been pronounced at *Heritage* or *Catel* by fewer than Five *Jurats*, or at the *Extraordinary* Courts by less than Three, for Moveables not under the value of 50 *Livres Tournois*, the Party aggrieved may appeal before the Body of the Court, consisting of Seven *Jurats* at the least.

Chap. IV.  
Civil Jurisdiction.

These Courts (except the *Saturday* Court which may be held upon any Emergency, and at the pleasure of the *Bailly* and *Jurats*) are not held promiscuously at all times and Seasons, but have their Terms as in other places. The first Term is that of *Michaelmas*, which begins always the *Thursday* immediately before *Michaelmas* day: but is interrupted during the Month of *November* that People may attend Husbandry, which in JERSEY is much later than in *England*. In the beginning of *December* the Term goes on, and so continues till *Christmas-Eve*, where it ends. The Second begins the next *Thursday* after *S. Maurus* his day, which is the 15th of *January*, and is very short, for it shuts up in the beginning of *February*. The Third begins the next *Thursday* after *St. George's* day, and continues till *Midsummer*, and then the long Vacation follows, in which there is no pleading: unless some Causes, that could not be dispatched during the Term, be put off to the first or second week

Terms.

in

Chap. IV. in September, and so continue till *Michaelmas Civil Jurisdiction* begins, if they cannot be ended sooner.

*Cohue Royale.*

The Judgment-Hall, or Place of Judicature, is called *La Cohue Royale*, and stands in the Town of *St. Helier*. 'Tis a handsome Building, fronting the Market-place.

Note, That the Place of Bailly being lately become vacant by the never too much lamented Death of Sir Philip de Carteret, Baronet, Seigneur of *St. Ouen*, the late Bailly, the States of the Island, during the vacancy, have according to Custom chosen for Judge Delegate, Philip le Geyt Gent. who was before Lieutenant Bailly, and who being a Person of great Integrity and exquisite Parts and Learning, had discharged that Trust with general Satisfaction.

CHAP.



## CHAP. V.

## Religion.

There are yet remaining in this Island some old Monuments of Paganisme. We call them *Pouquelays*. They are great flat Stones of vast bigness and weight, some Oval, some Quadrangular, raised three or four foot from the ground, and supported by others of a less size. 'Tis evident both from their Figure, and great quantities of Ashes found in the ground thereabouts, that they were used for Altars in those Times of Superstition. And their standing on Eminencies near the Sea inclines me also to think that they were Dedicated to the Divinities of the Ocean. At ten or twelve foot distance, there is a smaller Stone set up on end, in manner of a Desk, where 'tis supposed the Priest kneeled, and performed some Ceremonies, while the Sacrifice was burning on the Altar.

Chap. V.

Religion.

Pagan Altars.

The Christian Religion was planted in this Island about the Year 565. Of which we have this Account. St. Sampson the last Archbishop of *Menevia* (now called St. David's)

K

Plantation of  
Christianity.

Chap. V. *vid's*) in *Wales* (*k*), being forced by the Religion. Invasion of the *Saxons*; or, as other write, by a Pestilence raging in those Parts, to abandon his See, and retire into *Armorica* or *Bretagne*, he was kindly received by *Hoel II.* King of that Countrey. In favour of him the See of *Dol*, given him by the King, was made the Metropolis of all *Bretagne*, and the Pope sent him the *Archi-Episcopal* Pall †, which Honour was transmitted to his Successors, *Archbishops* of *Dol*, and enjoyed by them above 600 years. But the Territory of *Dol* being of small Extent, *JERSEY* and the adjacent *Isles* on the Coast of *Neustria* (*l*) were added to that Diocess by *Childebert* Son of *Clovis*, King of *France*, to whom they then belonged.

(*k*) *Girald.* *Cambr. Itinerar. Lib. II. Cap. I. de Sede Menevensi.* *Dargentré.* *Hist. de Bretagne. Lib. I. Cap. XV. pag. 65.* *Andree Saufsayi Martyrolog. Gallican. Mens. Octob. Pars Poster. fol. 774.* *Usserii Primord. f. 531.* *Capgrave in S. Sampson. † Some say he brought the Pall from Menavia or St. David's with him into Bretagne. (l) Dargentré Lib. I. Ch. XXVIII. pag. 132.*

† There is a Church in *Guernesey* dedicated to his Memory, and that bears his Name to this day. *St. Sampson.* (*m*) *Petrus de Natalibus Lib. IX. Cap. CIII. Benedict. Gonn. vite Pa-*

These Islands being thus become part of his Care, he applied his thoughts to the Conversion of them to Christianity †, but lived not to effect it. He was succeeded in the See of *Dol* by *St. Magloire*, a *Britain*, also, his Kinsman and Companion in Exile, who resigning soon after his Bishoprick to *St. Budic*, one of his Disciples, came over himself into these Islands, and landed in *Sargia*, now called *Serk* (*m*), where he built a little Monastery, or Colledge of Priests, which stood in that Island about 800 years, viz. till the time

time of K. Edward III, there being yet to be seen in the Remembrancers Office in the Exchequer, an account mentioning a yearly Pension paid by the Crown to the Monks of this Convent, under the Name of *Conventus S. Maglorii in Insul. Sarg.* From thence he sailed to JERSEY, where by his powerful Preaching, his holy and exemplary living, and the mighty Works which God wrought by him in the midst of Us, if the Writers of his Life may be credited, he laboured so successfully, that the Count or Governor *Loyefcon*, and all the Inhabitants, came over to the Faith. He died in this Island, and was buried in a little Chappel erected to his Memory in the Parish of *St. Saviour*, hard by the Free-School called from him to this day *St. Magloire*, corruptly *St. Manlier*. About 250 years after, this Island being much infested by the *Danes* and *Normans*, his Body, which after the manner of those times was visited by Pilgrims from all Parts, was, by command of *Neomenius* King of *Bretagne*, transported thither, and deposited in the little Priory of *Lehon* (n) near *Dinant*, built for its Reception, where it rested 66 years. But the *Normans* entering into *Bretagne* also, it was removed again, and translated to *Chartres*, and at last to *Paris* (o), where it lies in the Royal Chappel of *St. Bartholomew*, now become an Abbey under the Name of *St. Barthelemi & Saint Magloire* (p). This was the Instru-

Chap. V.  
*Religion.*

*trum Occident.*  
*Lib. III. fol. 145.*  
*Nova Leg.*  
*Angl. Lond.*  
*1516. De St.*  
*Maglorio E-*  
*piscopo & Con-*  
*fessore.*  
MSS: Mr.  
Poingdestre.

(n) *Dargentré*  
*Hist. de Bre-*  
*tag. Lib. II. Ch.*  
*XLIV. pag.*  
*166.*  
(o) *Hugo Flo-*  
*riac. in Chro-*  
*nic. apud Du*  
*Chefne Tom. 3.*  
*pag. 343.*  
(p) *Paris An-*  
*cien & Nou-*  
*veau; par*  
*Monsieur le*  
*Maire. Tom. I.*  
*pag. 356.*

Chap. V.  
*Religion.*

ment which God was pleased to make use of to bring the Inhabitants of this Isle to the knowledge of himself, who were before Gentiles and Idolaters.

While St. *Magloire* was living, and doing the Work of an Evangelist amongst Us, *Pretextatus* Archbishop of *Rouen* in *Normandy*, oppressed by the hatred and Calumnies of *Fredegund* Wife of *Chilperic* King of *France*, was banished here into *JERSEY* (q). He associated himself to St. *Magloire*, and with great Zeal and Fervency laboured with him in Preaching the Gospel, and carrying on the work of God in this Island. Being recalled from Banishment, and restored to his See, he was sometime after murdered in his Church by Command of that cruel Woman; for which he has been deservedly reputed a Martyr, according to the following Distich of *Orderic Uticensis* (r).

(q) *Gregor. Turon. Hist. Franc. Lib. I. Cap. XVIII. Aymon. Monach. de Gest. Franc. Lib. III. Cap. XXVI. pag. 99. Papyr. Masson. Annal. Lib. I. pag. 52. Abregé de L'Histoire de Normandie, Ch. II. pag. 33. Pretextat privé de son Archevesché fut relegué en l'Isle de GERSEY, dans le Territoire de Constances. (r) Hist. Ecclef. pag. 560.*

*Occubuit Martyr Pretextatus Fredegundis  
Reginæ Monitu, pro Christi nomine Jesu.*

*Foundation of  
Churches, &c.*

What progress Christianity made in *JERSEY* appears from the Foundation of Twelve Parish-Churches, (which have a Beauty and Solidity beyond what is usually seen in ordinary Country Churches) A noble and stately Abby, (that of *S. Helier*) Four Pories,

ries, (*viz.* Noirmont, S. Clement, Bonnenuit and de Leck) and above twenty Chappels, of which the greater part are now in rubbish. Of those that are left standing there are two of special Note. The one is *La Chapelle de Nostre Dame des Pas*, so called from a pretended Apparition of the blessed Virgin, and the impression of her Footsteps in the Rock whereon the Chappel stands. The other is *la Hougue*, so called from a high Artificial Hill on the top whereof it is loftily seated. For *Hougue* in *French* is properly what the Latines call *Agger* or *Tumulus*, i. e. a Mount of Turf or Earth, made with hands, and raised more or less above the circumjacent Level. And those *Aggeres* or *Tumuli* were in former days raised on the Bodies of Heroes and Great men slain in the Wars; raised (I say) in the Field, and on the very place where they fell. And such I take the *Hougue* in JERSEY to be. The Old Tradition is, that a Gentleman of *Normandy* (*s*) coming into this Island, was there slain, and that his Wife caused this noble Monument to be erected over him, carrying it up to that height purposely that from her house in *Normandy* she might have a prospect of the Place where lay the Ashes of him whose Memory was so dear to her even then when he was but cold Earth. The Chappel on the top I guess to have been added for Masses to be said therein for the Soul of the Deceased, according to the Superstition of

Chap. V.  
*Religion.*

*Chapelle des Pas.*

*La Hougue.*

(*s*) MSS. Philippi de Carteret *Baronet.*  
&c.

Chap. V.  
Religion.

those days. And this I take to be the best account that can be given of this ancient Chappel, and the *Moles* on which it is erected: which differs from that of Mr. *Poingdestre*, who thinks this Eminency was raised at the time that the *Danes* and other Northern Nations made their inroads into this Island, and was designed for a *Specula*, or Watch-Hill, to discover them at Sea, and to give Notice of their approach; and that the Chappel was built long after by one *Mabon*, who was Dean of this Island about the Year 1520; *Mabon* indeed did cause the East end to be new built, and a passage with a Repository under ground, and under the Altar, to be made in imitation of the Holy Sepulcher at *Jerusalem*, where he had sometimes been.

Reformation.

I shall pass over those dark Ages of Popery which too soon followed the Planting of Christianity in this Island, and shall hasten to give some account of the State of Religion here from the Reformation. The same Change of Religion that was made in *England*, in the Reign of K. *Edward VI*, was made here also. The English Liturgy was translated into *French*, and sent hither. In Q. *Mary's* time the Mass was set up again, as it was in *England*. But through a singular Mercy of God, the Persecution did not rage here, as it did there. While that Queen made Bonfires of Protestants in *England*, *Richard Avery* a Popish Priest in this Island,

Island, was hanged for Murder by Sentence of the Royal Court. He was a great Enemy and Persecutor of the married Clergy, but himself at the same time kept a Whore, who being brought to bed, he, to conceal his Shame, murdered the Infant, unknown to the Mother; for which he was apprehended, and notwithstanding the opposition of *Pawlet* the Popish Dean, who would have had him convened before the Bishop of *Countance* as his proper Judge, suffered as he deserved. This must seem an Action of great Boldness and Resolution in the Court at that time, to any that considers the Power and Interest of the Popish Clergy under that Reign. It was not so in *Guernsey*. There such an Act of Cruelty was committed as is not to be matched by any thing we meet with in ancient or modern Martyrologies (*t*) A poor aged Widow, and her two Daughters, whereof one named *Perrotine Masséy* was the Wife of a Minister who was fled because of the Persecution, were condemned to be burnt for Heresie. The Ministers Wife was big with Child. When she came to suffer, her Belly burst through the violence of the Flame, and a lovely Boy issued forth, who falling gently on the Fagots, tumbled off without receiving any injury from the Fire. The Child was taken up, and carried to the Dean and Magistrates, who sent it back, and ordered it to be thrown in with the Mother. The cruel

Chap. V.  
*Religion.*

(*t*) Fox. Acts and Monuments. ad Annum 1556. pag. 1763. &c.

Chap. V. Command was obeyed, and the innocent Babe was baptized in Fire.  
*Religion.*

Upon Q. Elizabeth's happy Inauguration, her first Care was the Settlement of Religion. But in this Island we fell into the other extreme. 'Tis well known what Persecutions the French Protestants suffered under the Reigns of *Francis I*, *Henry II*, *Francis II*, *Charles IX*, and *Henry III*. The Neighbourhood of this Island invited great numbers of them, and among them some of their Ministers, to take Sanctuary here; and their Example soon begot in the minds of too many of our People a dislike of the English Reformation: wherein also they were too much countenanced and encouraged by the Governor, who, whether out of Inclination, or Affectation of Popularity, or (which I rather think) the hope of adding to his Government the Revenue of the suppressed Deanry, favoured that Party. They possessed themselves of the Parish Church of *St. Helier*, where the *Sieur de la Ripandiere*, a French Minister, preached and gave the Sacrament after the manner of *Geneva*: and soon after a solemn Deputation was made to the Queen, for leave to have all the other Churches in the Island modell'd after that way. This the Queen denied; allowing them only that Church of which they were possessed, and strictly Commanding that Form and Order of Service, which was set forth within her Realm, to be continued in  
the



*the Residue of the Parishes of this Isle; as appears from the following Letter sent by the Council to the Bailly and Jurats, bearing Date Aug. 7. 1565.*

Chap. V.  
Religion.



*After our very hearty Commendations unto you; Whereas the Queen's Most Excellent Majesty understandeth that the Isles of JARSEY and Guernezey have anciently depended on the Diocese of Constance, and that there be certain Churches in the same Diocese well Reformed, agreeably throughout in Doctrine as it is set forth in this Realm: Knowing therewith that you have a Minister, who, ever since his Arrival in JARSEY, hath used the like Order of Preaching and Administration as in the said Reformed Churches, or as it is used in the French Church at London; Her Majesty for divers Respects and Considerations moving her Highness, is well pleased to admit the same Order of Preaching and Administration to be continued at St. Helier's, as hath been hitherto accustomed by the said Minister. Provided always that the Residue of the Parishes in the said Isle shall diligently*  
pub

Chap. V.  
Religion.

*put apart all Superstitions used in the said Diocese, and so continue there the Order of Service ordained and set forth within this Realm, with the Injunctions necessary for that Purpose; wherein you may not fail diligently to give your Aids and Assistance, as best may serve for the Advancement of God's Glory. And so fare you well. From Richmond the 7th Day of August, Anno 1565.*

[ Signed ]

*N. Bacon. Will. Northampton.*

*R. Leicester. Gul. Clynton.*

*R. Rogers. Fr. Knolls.*

*Will. Cecil.*

Notwithstanding this Letter, all the other Churches in the Island soon followed the Example of that of *St. Helier*, and the English Liturgy came to be generally disused. This gave mighty Encouragement to the Puritans in *England*, who hoped to draw great Advantages from it, and indeed grew very insolent upon it. To improve the Opportunity, *Cartwright* and *Snap*, those Two great Incendiaries of the English Church, were sent into these Islands. At whose coming a Synod of the Ministers and Elders of *JERSEY*, *Guernzey*, *Serk*, and *Al-derney*,

derney, was Convened at the Town of St. Chap. V.  
 Peter-Port in Guernezey, June 28, 1576. Religion.  
 And there in Presence of both Governors, a Form of Classical Discipline (u) digested into twenty Chapters, and each Chapter into several Articles, was agreed on to be used from thenceforth in the four Islands: Which Discipline was again confirmed in another Synod held at Guernezey the 11, 12, 13, 14, 15, and 17th Days of October, 1597.

(u) Police & Discipline Ecclesiastique, des Eglises Reformées es Isles de JERSEY & de Guernezey, Serk, & Origny, arrêtées & conclues d'un commun

accord par Messieurs les Gouverneurs des dites Isles, & les Ministres & Anciens Assemblés au Synode tenu a Guernezey au nom de toutes les dites Eglises, le 28 jour du mois de Juin, L'An 1576. MSS.

It was a bold Step in the Governors not only to tolerate that unlawful Assembly, but to countenance (as they did) all the Acts of it by their Presence and their Signature. I call it an unlawful Assembly, because it met, and enacted Laws Ecclesiastical, binding the Subject, without the Royal Authority; throwing the Liturgy out of those Churches where by Express Command of the Queen it had been enjoined to be continued, to make way for their Model, which was only indulged to St. Helier in JERSEY, and to St. Peter-Port in Guernezey. But the Governors got well by it, for by that means the Spoils of the poor Deaneries fell into their Hands.

Timely Application was made by that Party to K. James, at his coming to the Crown;

Chap. V. *Religion.* Crown; to whom it was falsly suggested that the Discipline had been *permitted* and *allowed* by Q. Elizabeth: Whereupon a Letter under the Privy-Seal, dated Aug. 8. 1603. was easily obtained, confirming that pretended Permission, and setting the Discipline in both Islands as it was alledged to have been in the Days of that Queen. The Letter was as followeth.

### JAMES R.

**J**AMES *by the Grace of God King of England, Scotland, France, and Ireland, &c. Unto all those whom these Presents shall concern, Greeting. Whereas We Our Selves, and the Lords of Our Council, have been given to understand, that it pleased God to put it into the Heart of the Late Queen, our most dear Sister, to permit and allow unto the Isles of JARSEY and Guernezey, parcel of our Dutchy of Normandy, the Use of the Government of the Reformed Churches in the said Dutchy, whereof they have stood possessed until our coming to this Crown: For this Cause we desiring to follow the Pious Example of our said Sister in this behalf, as well for the Advancement of the Glory of Almighty*

*Almighty God, as for the Edification of his Church, do will and ordain, that our said Isles shall quietly enjoy their said Liberty in the Use of the Ecclesiastical Discipline there now Established; forbidding any one to give them any trouble or impeachment as long as they contain themselves in our Obedience, and attempt not any thing against the Pure and Sacred Word of God. Given at our Palace at Hampton-Court, the 8th Day of August, Anno Dom. 1603. and of our Reign in England the First.*

Chap. V.  
Religion.

'Tis plain the Grant in this Letter was void and null from the beginning, being founded on an Allegation manifestly untrue, viz. that *Q. Elizabeth* had given way to the Establishment of the Discipline throughout all the Churches in these Islands; The contrary whereof appears from the very Words of the Letter written by her Council. However, matters stood thus till a New Governor coming to JERSEY, and clashing with the Colloquy about the Right of collating to vacant Benefices, which both Sides layed equally claim to, He in the Right of the King as the true Patron, They by Virtue of the *Discipline* which empowered them to confer Orders and fill up vacant Livings with such only as had a Call from themselves,

Chap. V.  
Religion.

† Grandfather  
to David Bاند  
dinel Seigneur  
of Bagot, now  
living, one of  
the Jurats of  
the Royal Court.  
A Magistrate  
of great Abili-  
ty and Reputa-  
tion.  
(w) MSS.Phil.  
de Carteret.  
Baronet. &c.

selfes, the Altercation grew so high that it endangered the publick Peace, and many of the Principal Inhabitants became humble Suiters to His Majesty to restore to them the Liturgy, and to settle among them a Form of Ecclesiastical Jurisdiction suitable to that of the Church of *England*, with regard to their ancient Customs and Priviledges, to which they prayed His Majesty at the same time not to derogate. The Address was well received at Court. The Liturgy was restored, and the Office of *Dean* (which had been above 60 Years disused) was Revived, and conferred on the reverend Mr. *David Bاندinel* †, one of the Ministers of the Island; The New Dean and Ministers were injoynd to draw up a Body of *Canons* (w) to be approved by the King; which after several Corrections and Amendments made therein by Archbishop *Abbot*, the Lord-Keeper *Williams*, and the Learned *Andrews* Bishop of *Winchester* (commissioned thereunto by the King) received the Royal Assent *June 30.* in the 21<sup>st</sup> Year of His Majesty's Reign, and were thereupon transmitted to *JERSEY*, to have there the Force of Laws in Matters Ecclesiastical, as they have to this Day. A Copy of which *Canons*, collated with the old French Original extant in our Records, is hereunto added for publick Satisfaction.

JAMES R.


## JAMES R.

**J**AMES *by the Grace of God King of England, Scotland, France, and Ireland, Defender of the Faith, &c. To our right Trusty and well beloved Counsellor the Reverend Father in God Lancelot Bishop of Winton, and to our Trusty and well beloved Sir John Peyton Knight Governor of our Isle of JARSEY, and to the Governor of the said Isle for the time being; To the Bailiff and Jurats of the said Isle for the time being; and to the Officers, Ministers, and Inhabitants of the said Isle for the time being, To whom it shall or may appertain, Greeting. Whereas we held it fitting heretofore upon the Admission of the now Dean of that Island unto his Place, in the Interim (until we might be more fully informed what Laws, Canons, or Constitutions were meet and fit to be made and established for the good Government of the said Island in Causes Ecclesiastical appertaining to the Ecclesiastical Jurisdiction ) to command the said Bishop of Winton, Ordinary of the said Island, to grant his Commission unto*  
David

Chap. V.  
*Religion.*

David Bandinel now Dean of the said Island, to exercise the Ecclesiastical Jurisdiction there according to certain Instructions signed with our Royal Hand, to continue only until we might establish such Constitutions, Rules, Canons, and Ordinances, as we intended to settle for the regular Government of that our Island in all Ecclesiastical Causes, conform'd to the Ecclesiastical Government established in our Realm of England, as near as conveniently might be: And whereas also to that purpose our Pleasure was that the said Dean with what convenient Speed he might, after such Authority given unto him as aforesaid, and after his Arrival into that Island, and the publick Notice given of his Admission unto the said Office, should, together with the Ministers of that our Isle, consider of such Canons and Constitutions as might be fitly accommodated to the Circumstances of Time and Place, and the Persons whom they concern, and that the same should be put into Order, and intimated to the Governor, Bailiff and Jurats of that our Isle, that they might offer to us and to  
our



*Our Council such Acceptions †, and give* Chap. V.  
*such Informations touching the same, as* Religion.  
*they should think good: And whereas*   
*the said Dean and Ministers did con-* † Exceptions.

*ceive certain Canons and presented the*  
*same unto Us on the one part, and on the*  
*other part the said Bailiff and Jurats*  
*excepting against the same did send and*  
*depute Sir Philip de Carteret Knight,*  
*Joshua de Carteret and Philip de Car-*  
*teret Esquires, three of the Jurats and*  
*Justices of Our said Isle: All which*  
*Parties appeared before Our right Trusty*  
*and well beloved Councillors, the Most*  
*Reverend Father in God the Lord Arch-*  
*bishop of Canterbury, the Right Reve-*  
*rend Father in God the Lord Bishop of*  
*Lincoln Lord-Keeper of Our great Seal*  
*of England, and the Right Reverend*  
*Father in God the said Lord Bishop of*  
*Winton, to whom We gave Commission*  
*to examine the same, who have accor-*  
*dingly heard the said Parties at large,*  
*read, examined, corrected, and amen-*  
*ded the said Canons, and have now*  
*made Report unto Us under their Hands,*  
*that by a mutual Consent of the said De-*  
*puties and Dean of our Island, they have*

L reduced

Chap. V.  
Religion.

*reduced the said Canons and Constitutions Ecclesiastical into such Order as in their Judgments may well fit the State of that Island: KNOW ye therefore, that We out of Our Princely Care of the quiet and peaceable Government of all Our Dominions, especially affecting the Peace of the Church, and the Establishment of true Religion, and Ecclesiastical Discipline in one uniform Order and Course throughout all Our Realms and Dominions, so happily united under Us, as their Supreme Governor on Earth, in all Causes as well Ecclesiastical as Civil; having taken consideration of the said Canons and Constitutions, thus drawn, perused, and allowed, as aforesaid, do by these Presents, ratify, confirm, and approve thereof. AND further, We out of Our Princely Power, and Regal Authority, do by these Presents signed with Our Royal Hand, and sealed with Our Royal Signet, for Us, Our Heirs and Successors, will and command that the said Canons and Constitutions hereafter following, shall from henceforth in all Points be duly observed in Our said Isle, for the perpetual Government*  
of

of the said Isle in Causes Ecclesiastical: Chap. V.  
unless the same, or some Part or Parts Religion.  
thereof, upon further Experience and  
Trial thereof, by the mutual Consent of  
the Lord Bishop of Winton for the  
Time being, the Governor, Bailiffs and  
Jurats of the said Isle, and of the Dean  
and Ministers, and other Our Officers of  
Our said Isle, for the time being, repre-  
senting the Body of Our said Isle, and by  
the Royal Authority of Us, Our Heirs,  
or Successors, shall receive any Additi-  
ons or Alterations, as Time and Occasion  
shall justly require. And therefore We  
do further will and command the said  
Right Reverend Father in God Lance-  
lot now Lord Bishop of Winton, that he  
do forthwith by his Commission under  
his Episcopal Seal, as Ordinary of that  
Place, give Authority unto the said now  
Dean, to exercise Ecclesiastical Jurisdi-  
ction in Our said Isle, according to these  
Canons and Constitutions thus made  
and established.

Ch. V.  
Religion.

De la Souveraineté du Roy.

**P**remierement, selon le Devoir que nous devons a la Tres-Excellente Majesté du Roy, il est Ordonné que le Doyen & Ministres ayans cure des Ames, seront tenus un chascun de tout leur Pouvoir, Sçavoir, & Cognoissance, d'enseigner, mettre en Evidence, & declarer purement, & sincèrement, sans aucune feintise ou dissimulation, & le plus souvent que faire se pourra, & que les occasions s'en presenteront, que toute Puissance Forreine, estrangere, & Usurpée, pour autant qu'elle n'a aucun fondement en la Parole de

Of the King's Supremacy.

**F**irst, according to the Duty we owe to the King's most Excellent Majesty, it is ordained that the Dean and Ministers, having Cure of Souls, shall be obliged to the utmost of their Power, Knowledge, and Learning, purely and sincerely, without any Backwardness or Dissimulation, to teach, publish, and declare, as often as they may, and as occasion shall offer it self, that all foreign, strange and usurped Power, for as much as it has no ground in the Word of God, is wholly for good and just Causes taken away, and abolished; and that therefore no manner of Obedience

*de Dieu, est totalement, pour bonnes & justes Causes, ostée & abolie ; & par conséquent que nulle sorte d'Obeissance, ou Subjection, dedans les Royaumes & Dominions de sa Majesté, n'est due à aucune telle Puissance : Ains que la Puissance du Roy dedans les Royaumes d'Angleterre, d'Ecosse & d'Irlande, & autres ses Dominions & Contrées, est la plus haute Puissance sous Dieu, à laquelle Toutes Personnes, habitans & natifs dans icelles, doivent par la Loy de Dieu toute Fidélité & Obeissance, avant & par dessus toute autre Puissance.*

2. *Quiconque affermera & maintiendra que*

bedience or Subjection within His Majesty's Kingdoms and Dominions is due unto any such Power : But that the King's Power within his Kingdoms of England, Scotland, and Ireland, and other his Dominions and Countries, is the highest Power under God, to which all Persons, Natives and Inhabitants within the same, do by God's Law owe Loyalty and Obedience, before and above all other Power.

Ch. V.  
*Religion.*

2. Whosoever shall affirm and maintain that the King's Majesty

Ch. V. *que la Majesté du Roy Religion. n'a la même Autorité en causes Ecclesiastiques, comme entre les Juifs ont eû les Rois Religieux, & les Empereurs Chrestiens en l'Eglise Primitive; Ou quiconque donnera aucun Empeschement, en quelque maniere que ce soit, a la Souveraineté du Roy esdites Causes; & quiconque affermera quel'Eglise d'Angleterre, comme elle est establee sous la Majesté du Roy, n'est une Vraie & Apostolique Eglise, enseignant purement la Doctrine des Prophetes & Apostres; Ou quiconque impugnera le Gouvernement de la dite Eglise qui est par les Archevesques, Evesques, & Doyens, l'affirmans estre de l'An-*

jesty hath not the same Authority in Causes Ecclesiastical which Godly Kings had among the *Jews*, and Christian Emperors in the Primitive Church; or shall in any manner of way impeach or obstruct the King's Supremacy in the said Causes; Moreover, whosoever shall affirm that the Church of *England*, as it is established under the King's Majesty, is not a true and Apostolical Church, purely teaching the Doctrine of the Prophets and Apostles; or shall impugn the Government of the said Church by *Archbishops, Bishops, and Deans*, affirming it to be Anti-christian; shall be *ipso facto* Excommunicated, and not restored but by the Dean sitting in Court, after his Repentance,

*l' Ante-christ; quil soit Excommunié ipso facto, & non restabli que par le Doyen en Cour Séante, apréz sa Repentance & Revocation publique de son erreur.*

### Du Service Divin.

3. *Il est enjoint a toutes sortes de Personnes de se sousmettre au Service Divin contenu au Livre des Communes Priéres de l'Eglise d'Angleterre: & quant aux Ministres, ils seront obligés d'Observer avec Uniformité la dite Liturgie, sans Addition, ou Alteration; & ne souffrira on aucun Conventicule, ou Congrégation, pour faire Secte apart, ou se distraire du Gouvernement Ecclesiastique*

penitance, and publick Ch. V. Recantation of his Religion. Error.

### Of Divine Service.

3. It is injoynd unto all sorts of Persons to submit to the Divine Service contained in the Book of Common-Prayers of the Church of England: And for as much as concerns the Ministers, they shall be obliged to observe with Uniformity the said Liturgy, without Addition, or Alteration; And no Conventicle or Congregation shall be suffered to make Sect apart, or withdraw themselves from the Ecclesiastical Govern-

Ch. V. *que establi en l' Isle.*  
*Religion.*

4. *Le jour du Dimanche sera sanctifié par Exercices de Prières Publiques, & ouye de la Parole de Dieu; sera un chascun tenu de s'y ranger a heure convenable, & observer l'ordre & bienséance à ce requise; se rendans attentifs à la Lecture & Prédication, estans a genoux durant les Prières, & se tenant debout à la Confession de Foy, & doivent testifier leur Consentement & Participation en disant Amen. Et partant durant aucune partie du Service Divin les Surveillans ne permettront aucune interruption ou empeschement par Insolence ou devis d'aucune*

ment established in the Island.

4. *The Lord's Day shall be sanctified by the Exercises of publick Prayer, and hearing of God's word; whereat every one shall be bound to assist at a convenient hour, and to observe the Order and Decency in that Case requisite; being attentive at the reading and preaching of the Word, kneeling on their Knees during the Prayers, and standing up at the Confession of Faith, and shall also testify their Consent and Participation in saying Amen. And in pursuance thereof, during any part of Divine Service, the Church - Wardens shall not suffer any interruption or hindrance to be made by*



*cune personne soit au Temple ou Cimetiere.*

5. *Il y aura Exercice Public en chacune Paroisse les Mercredys & Vendredys Matin, par la Lecture des Communes Prieres.*

6. *Quand quelque Urgente Occasion requerra de célébrer un Jeusne Extraordinaire, le Doyen avec l'avis des Ministres en avertira le Gouverneur & le Magistrat Civil, à ce que par leur Consentement & Autorité il soit observé généralement, pour appaiser le Courroux & ire de Dieu par une vraye & serieuse Repentance.*

Du

by the Insolence or Ch. V.  
Talk of any per- *Religion.*  
son either in Church  
or Church-yard.

5. There shall be Publick Exercise in every Parish on *Wednesday* and *Friday* Mornings, by reading the Common Prayer.

6. When any urgent Occasion shall require an *Extraordinary Fast* to be celebrated, the Dean with the advice of the Ministers shall give notice thereof to the Governor and to the Civil Magistrate, to the end that by their Consent and Authority, it may be generally observed, for the appeasing of the wrath and indignation of God, by a true and serious Repentance.

of

Ch. V.  
*Religion.*

## Du Baptême.

7. *Le Baptême sera administré en l'Eglise avec eau pure & commune, suivant l'Institution de Jesus Christ, & sans limitation de jours ; & nul ne différera de présenter son enfant au Baptême plus outre que le prochain Dimanche, ou Assemblée publique, s'il se peut faire commodément ; & ne pourra aucun estre receu à y présenter enfant s'il ne Communique à la Sainte Cène ; Et ne pourront les femmes seules estre Marraines.*

## Of Baptism.

7. *Baptism shall be administred in the Church with fair and common water, according to the Institution of Jesus Christ, and without Limitation of days ; nor shall any delay the bringing of his Child to Baptism longer than the next Sunday, or publick Assembly, if it may conveniently be done ; and no one shall be admitted to be a Godfather that does not participate to the Holy Communion ; Women alone (viz. without the Presence of a Man to be Godfather) shall not be admitted to be Godmothers.*

De la Cène.

Of the Lord's  
Supper.

8. En chaque Egli-  
se la Ste. Cène se célé-  
brera quatre fois l'An,  
dont l'une sera à Pas-  
ques, & l'autre à Noël;  
& chaque Ministre en  
l'Administration de la  
Cène recevra premie-  
rement le Sacrament,  
& baillera le pain &  
le vin à un chascun  
Communiquant, en u-  
sant les Mots de l'In-  
stitution.

9. Tous Péres &  
Maistres de Famille se-  
ront exhortés & en-  
joint de faire instrui-  
re leurs enfans & Do-  
mestiques en la Cog-  
noissance de leur salut,  
& pour ce faire auront  
soin

8. The Lord's Sup-  
per shall be admini-  
stred in every Church  
four times a Year,  
whereof one shall be  
at Easter, and the o-  
ther at Christmas;  
And every Minister  
in the Administration  
of the said Supper,  
shall first receive the  
Sacrament himself, and  
after distribute the  
Bread and Wine to  
each of the Commu-  
nicants, using the  
Words of the Insti-  
tution.

9. All Fathers and  
Masters of Families  
shall be exhorted and  
injoynd to cause their  
Children and Dome-  
sticks to be instructed  
in the Knowledge of  
their Salvation, and  
to this End shall take  
care

Ch. V. *soin de les envoyer aux*  
*Religion. Catéchismes ordi-*  
*naires.*

care to send them to  
 the Ordinary Cate-  
 chizing.

### Du Marriage.

### Of Marriage.

10. *Aucun ne se*  
*Marriera contre les*  
*Degrés qui sont prohi-*  
*bés par la Parole de*  
*Dieu ; selon qu'ils sont*  
*exprimés en la Table*  
*faite par l' Eglise d'*  
*Angleterre, sur peine*  
*de Nullité & Censure.*

10. None shall Mar-  
 ry contrary to the De-  
 grees prohibited by  
 the Word of God ; as  
 they are expressed in  
 the Table made by the  
 Church of England, on  
 pain of Nullity and  
 Censure.

11. *Les Annonces*  
*se feront par trois*  
*Dimanches consécutifs*  
*aux Paroisses des*  
*Parties, & sera obli-*  
*gée la Partie de l'autre*  
*Paroisse où le Mar-*  
*riage ne sera Celebré*  
*d'apporter Attesta-*  
*tion de la Publica-*  
*tion de ses Annonces*  
*en sa Paroisse. Neant-*  
*moins*

11. The Banes shall  
 be asked three Sun-  
 days successively in the  
 Parish Churches of  
 both Parties, and the  
 Party of the Parish  
 where the Marriage  
 shall not be celebra-  
 ted shall be obliged to  
 bring Certificate of  
 the Publication of his  
 Banes in his own Pa-  
 rish. Nevertheless in  
 lawful Cases there  
 may

*moins sur causes légitimes on pourra avoir Licence & Dispensation des dites Annonces par l'autorité du Doyen, qui prendra suffisante Caution de la Liberté des Parties.*

12. *Il ne se fera aucune Séparation à Thoro & Mensâ qu'à cause d'Adultère, cruauté, & danger de Vie, dûment prouvés, & ce à l'Instance des Parties: & pour l'Alloûance de la femme durant la Séparation, elle aura recours au Bras séculier.*

### Des Ministres.

13. *Nul qui ne soit propre à enseigner, & capable de Prescher la Parole de Dieu, ne sera*

may be Licence and Dispensation of the said Banes given by the Authority of the Dean, who shall take good Security of the Liberty of the Parties.

Ch. V.  
Religion.

12. There shall be no Separation à Thoro & Mensâ but in Case of Adultery, Cruelty, and Danger of Life, duly proved, and this at the Instance of the Parties: And as for the Maintenance of the Woman during the Separation, she shall have recourse to the Secular Power.

### Of Ministers.

13. None that is not fit to, Teach, nor able to Preach the Word of God, shall be admitted to any Bene-

Ch. V.  
Religion.

*ra admis en aucun Bénéfice de l'Isle ; & qui n'ait receu l'Imposition des Mains, & Ordination, selon la Forme de l'Eglise d'Angleterre.*

14. *Nul, ne Doyen, ne Ministre, ne pourra occuper ensemble deux Bénéfices, si non en temps de Vacance; & seront les Originaires, ou Natifs de l'Isle, préférés au Ministère.*

15. *Les Ministres au jour de Dimanche après les Prières publiques expliqueront le Matin quelque Passage de l'Ecriture sainte, & Après-midy traiteront les Points de la Religion Chrestienne contenus au Catéchisme du livre des Communes Prières.*

Benefice within the Isle; or that has not received *Imposition of Hands*, and been *Ordained* after the Form used in the Church of England.

14. None, either Dean or *Minister*, shall hold two Benefices together, unless in time of Vacancy; And the *Originaries*, or *Natives* of the Isle, shall be preferred before others to the *Ministry*.

15. The *Ministers* every Sunday after the Publick Morning Prayers shall expound some Place of Holy Scripture, and in the Afternoon shall handle some of the Points of the Christian Religion contained in the *Catechism* of the Book of *Common-Prayers*.

16. *En leur Prieres ils Observeront les Titres qui appartiennent au Roy, le recognoissans Souverain Gouverneur sous Christ en toutes Causes & sur toutes personnes, tant Ecclesiastiques que Civiles, Recommandans la Prosperité de sa Personne, Estat, & Posterité Royale.*

17. *Un chascun des Ministres advisera diligemment de démonstrer la bienséance & gravité en habits qui conviennent à sa Charge, & qui préservent le Respect dû à sa personne; & seront aussi Circonspects en tout le Cours de leur vie de se préserver de telles Compagnies, Actions, & hantises de places*

16. In their Pray- Ch. V.  
ers they shall observe *Religion.*  
the *Titles* due to the King, acknowledging him Supreme Governor under Christ in all Causes and over all Persons, as well Ecclesiastical as Civil, recommending [unto God] the Prosperity of his Royal Person, Estate, and Posterity.

17. Every one of the *Ministers* shall be careful to shew that Decency and Gravity of *Apparel* which becomes his Profession, and may preserve the Respect due to his Person; And they shall be very circumspect in the whole Course of their Lives to keep themselves from such Company, Actions, and Haunts, as may bring any blame or blemish upon

Ch. V. *places, qui leur puisse*  
*Religion. apporter blasme ou fle-*  
*strisseure; & partant ne*  
*deshonoreront leur Ro-*  
*be par Jeux, Tavern-*  
*nes, Usurés, Compag-*  
*nies, & Occupations*  
*qui ne Convienent à*  
*leur Fonction; Ains*  
*s'estudieront à excel-*  
*ler par dessus les au-*  
*tres en pureté de vie,*  
*Gravité, & Vertu.*

18. *Ils auront soin*  
*que Registre soit gardé*  
*des Baptesmes, Marri-*  
*ages, & Enterrements;*  
*& seront obligés de Pu-*  
*blier, au jour qui leur*  
*sera appointé, les Or-*  
*donnances de la Cour,*  
*qui leur seront en-*  
*voyées, signées & sée-*  
*lées du Doyen, leur*  
*estans delivrées Quin-*  
*ze jours avant la Pub-*  
*lication.*

19. *Les*

on them; nor shall they dishonour their Calling, by Games, Taverns, Usuries, Trades or Occupations not besitting their Function; but shall study to excell others in Purity of Life, Gravity, and Vertue.

18. They shall take care that a Register be kept of Christnings, Marriages, and Burials; And shall be obliged to publish on the Day that shall be appointed them, the Ordinances of the Court, which shall be sent to them signed and sealed by the Dean, they being delivered to them fifteen Days before the Publication.

19. The



19. *Les Ministres seront avertis en temps convenable pour assister aux Enterremens qui se feront en leur Paroisses, & là observeront la Forme prescrite au livre des Communes Prières; & nul ne sera enterré dans le Temple sans congé du Ministre, qui aura égard à la Qualité des Personnes, ensemble à ceux qui sont Bienfaiteurs à l'Eglise.*

### Du Doyen.

20. *Le Doyen sera Ministre de la Parole de Dieu, étant Maître aux Arts, ou gradué au Droit Civil pour le moins; ayant les Dons pour exercer la dite Charge, de bonne vie & Conversion,*

19. *The Minister shall have notice in convenient time to assist at such Burials as shall be in their Parishes, whereat they shall observe the Form prescribed in the Book of Common - Prayers; And none shall be interred within the Church without leave of the Minister, who shall have regard to the Quality of the Persons, and withall to those that are Benefactors to the Church.*

### Of the Dean.

20. *The Dean shall be a Minister of the Word of God, being a Master of Arts, or Graduate in the Civil Law, at the least; having Abilities to exercise the said Office, Of good Life and Conversation, zealous, and well affected to*

M

Reli

Ch. V.  
Religion.

Ch. V. *sation, & bien affecti-  
Religion. onné & Zelé à la Re-  
ligion & service de  
Dieu.*

Religion, and the  
Service of God.

21. *Le Doyen, aux  
Causes qui se traite-  
ront en Court, deman-  
dera l' Advis & Opi-  
nion des Ministres qui  
pour lors seront pre-  
sents.*

21. The Dean, in  
Causes which shall be  
handled in Court, shall  
demand the Advice  
and Opinion of the  
Ministers who shall  
then be present.

22. *Il aura la cog-  
noissance de toutes cho-  
ses qui concernent le  
Service de Dieu, Pré-  
dication de la Parole,  
Administration des Sa-  
cremens, Causes Ma-  
trimoniales, examen &  
Censure de tous Papi-  
stes, Recusans, Héréti-  
ques, Idolatres, & Schis-  
matiques, Parjures en  
Causes Ecclesiastiques,  
Blasphemeurs, ceux  
qui ont recours aux  
Sor-*

22. He shall have  
the Cognizance of all  
Matters which con-  
cern the Service of  
God, the Preaching  
of the Word, Admi-  
nistration of the Sa-  
craments, Matrimo-  
nial Causes, the Ex-  
amination and Cen-  
sure of all Papists,  
Recusants, Hereticks,  
Idolaters, and Schis-  
maticks, Persons per-  
jured in Causes Ec-  
clesiastical, Blasphe-  
mers, such as have  
recourse to Wizzards,  
Incestu-

*Sorciers, Incestueux, Adultères, Paillards, Turognes Ordinaires, & publics Profanateurs du Sabbat; comme aussy la Profanation des Temples & Cimetieres, du Mespris & Offenses commises en Court, ou contre aucuns des Officiers d'icelle en exécution des Mandats de la Court, des Divorces, & Separation à Thoro & Mensâ; avec pouvoir de les Censurer, & punir selon les Loix Ecclesiastiques, sans exclurre la Puissance du Magistrat Civil au regard de la Punition Corporelle pour les dits Crimes.*

23. *Le Doyen accompagné de deux ou trois*

Incestuous Persons, Ch. V. Adulterers, Fornicators, common Drunkards, and publick Prophaners of the Lord's Day; as also of the Prophanation of Churches and Church-yards, Contempt and Offences committed in Court, or against any Officers thereof in the Execution of the Mandats of the Court, Divorces, and Separation à Thoro & Mensâ; with Power to censure and punish them according to the Ecclesiastical Laws, without Prejudice to the Power of the Civil Magistrate in regard of bodily Punishment for the said Crimes. *Religion.*

23. *The Dean accompanied by two or three Ministers shall*  
M 2                      once

Ch. V.  
Religion.

*trois Ministres visitera une fois en deux Ans chaque Paroisse en sa personne, & donnera Ordre quil y ait Presche le jour de la Visitation, ou par soy même, ou par quelquun par luy appointé; & se fera la-dite Visitation pour Ordonner que toutes Choses appartenantes à l'Eglise, au Service de Dieu, & Administration des Sacremens, soyent pourveûes par les Surveillans, & le Temple, Cimeticre, & Maison Presbyteriale soyent entretenues & réparées: Et aussy recevra Information des dits Surveillans (ou faite à iceux à faire leur devoir) du Ministre, de toutes Offences & abus qui seront à reformer en au-*

*once in two Years Visit every Parish in person, and shall give order that there be a Sermon on the Visitation-day, either by himself, or some other by him appointed; which Visitation shall be made for the ordering that all things appertaining to the Church, the Service of God, and the Administration of the Sacraments, be provided by the Church - Wardens, and that the Church, Church - Yard, and Parsonage - House, be maintained and repaired: And likewise shall receive information from the said Church - Wardens, or (if they should fail in doing their Duty) from the Minister, of all Offences and Abuses which need to be reformed, whether in the Minister,*

*cun, soit Ministre, Officiers de l'Eglise, ou autres de la Paroisse; & recevra ledit Doyen pour la dite Visitation 40 sols de la Rente du Thresor à chaque fois.*

24. *En cas de Vacance d'aucun Bénéfice, soit par mort, ou autrement, le Doyen donnera Ordre presentement que les Fruits d'iceluy Bénéfice soient Sequestrés, & que du provenu d'iceux la Cure soit supplée; & aussy que la Veuve ou Heritiers du Deffunct reçoivent selon la Proportion du temps de son Service, suivant à l'Usage de l'Isle, sauf ce qui seroit necessaire à deduire pour les Delapidations, s'il y en a;*

*&*

*ster, Officers of the Ch. V. Church, or others of the Parish; And the said Dean for the said Visitation shall each time receive 40 Sols out of the Treasury of the Church.*

*Religion.*

24. In case of Vacancy of any *Benefice*, either by Death, or otherwise, the *Dean* shall give present Order that the Profits of the said *Benefice* be *sequestred*, and that out of the Revenue thereof the Cure be supplied; and also that the Widow or Heirs of the Deceased be satisfied in proportion to the Time of his Service, according to the Custom of the Isle, with such necessary Deductions as must be made for *Delapidations*, if there be any; and shall give convenient Time to the Widow of the Deceased

M 3

Ch. V. *Religion.* & donnera Terme convenable à la Veuve du Deffunt de se pourvoir de Domicile; & baillera ce qui sera de residu au prochain Incumbant, auquel le Sequestrataire en rendra compte

25. Sur la même occasion de Vacance d'aucun Bénéfice, si dans six mois le Gouverneur ne presente aucun au Révérend Père en Dieu l'Evesque de Winchester, ou en cas de vacance de ce Siège, au Très Révérend Père en Dieu l'Archevesque de Canterbury, pour estre admis & Institué audit Bénéfice, alors le Doyen certifiera du Temps de la Vacance aux dits Seigneurs Evesque ou Archeves-

ceased to provide herself of a Dwelling; and shall dispose of the Residue to the next Incumbent, to whom the Sequestrator shall be accountable.

25: In the same Case of Vacancy of any Benefice, if within six Months the Governor does not Present some person to the Right Reverend Father in God the Bishop of Winchester, or in the Vacancy of that See, to the most Reverend Father in God the Archbishop of Canterbury, to be admitted and instituted to the said Benefice, then the Dean shall give notice of the Time of the Vacancy to the said Lords Bishop or Archbishop, as it

*chevesque, selon quil  
escherra, à ce qu'ils  
ordonnent pour la Col-  
lation du Bénéfice: Et  
lors qu'aucun leur sera  
Présenté, le Doyen  
donnera Attestation du  
Comport Et Suffisance  
de la Partie, pour estre  
approuvé par iceux,  
devant que d'estre ad-  
mis actuellement par  
le Doyen en Possession  
du dit Bénéfice.*

26. *Le Doyen au-  
ra l'Insinuation Et Ap-  
probation des Testa-  
mens; lesquels seront  
approuvés sous le sceau  
de l'Office, Et Enregi-  
strés; Aura aussi l'En-  
registrement des In-  
ventaires des Biens  
Meubles des Pupilles,  
desquels il gardera  
fidèle Registro, pour  
en donner Copie tou-  
tes fois Et quantes qu'il*

en

it shall happen, to the Ch. V.  
end they may give *Religion.*  
Order for collating  
to the Benefice: And  
when any shall be Pre-  
sented to them, the  
Dean shall give Certi-  
ficate of the behaviour  
and Sufficiency of the  
Party, to be appro-  
ved by them, before  
he be actually admit-  
ted by the Dean into  
Possession of the said  
Benefice.

26. The Dean shall  
have the Entry and  
Probate of Wills;  
which shall be appro-  
ved under the Seal of  
his Office, and Regi-  
stred; He shall have  
also the Registring of  
the Inventories of  
Goods Mobiliary be-  
longing to Orphans,  
whereof he shall keep  
a faithful Register,  
that he may give Co-  
pies of them when-  
ever he shall be requi-  
red. Moreover, he

shall

Ch. V. *en sera requis. Item,*  
*Religion. baillera Lettres d'Ad-*  
*ministration des biens*  
*des Intestats, qui*  
*mourront sans boirs*  
*de leur Chair, au*  
*prochain heritier.*

27. *Ceux qui seront*  
*saïsis du Testament,*  
*soit Heritiers, Exé-*  
*cuteurs, ou autres, se-*  
*ront obligés de l'ex-*  
*hiber & apporter au*  
*Doyen dans un Mois ;*  
*faute dequoy seront*  
*convenus en Court par*  
*Mandat, en payant*  
*doubles Coustages pour*  
*la Compulsoire ; & au-*  
*ra le dit Doyen pour*  
*les dits Testamens, In-*  
*ventaires, & Lettres*  
*d'Administration, tels*  
*Droits qui sont Spé-*  
*cifiés en la Table sur*  
*ce faite.*

28. *Toutes*

shall give Letters of  
 Administration of the  
 Goods of Intestates,  
 dying without Heirs  
 of their Body, to the  
 next of Kindred.

27. They that have  
 the Will in their Cu-  
 stody, whether they  
 be Heirs, Executors,  
 or others, shall be o-  
 bliged to exhibit and  
 bring the same to  
 the Dean within one  
 Month ; in default  
 whereof they shall be  
 convened into Court  
 by Mandate, paying  
 double Charges for  
 the Compulsory ; and  
 the said Dean shall  
 have for the said  
 Wills, Inventories,  
 and Letters of Ad-  
 ministration, such Fees  
 as are specified in the  
 Table made for that  
 purpose.

28. All



28. Toutes Légations Mobiliaires faites à l'Eglise, Ministres, Ecoles, ou Pauvres, seront de la Cognissance du Doyen ; Mais sur l'Opposition qui pourroit estre faite de la validité du Testament, la Court Temporelle en déterminera entre les Parties.

29. Il appartient au Doyen de cognoistre de toute Substraction de Dixmes affectées à l'Eglise, de quelque Espèce qu'elles soyent, qui ont esté payées au Ministres, & dont ils ont jouy & sont en possession depuis Quarante ans, & toute personne convaincue de Substraction, fraude, ou Detention d'icelles Dixmes, sera adjugé

28. All Legacies Ch. V. Mobiliary made to Religion. the Church, Ministers, Schools, or Poor, shall be of the Cognizance of the Dean ; But upon any Opposition made concerning the Validity of the Will, the Civil Court shall determine it betwixt the Parties.

29. It appertains to the Dean to have Cognizance of all Substraction of Tythes belonging to the Church, of what kind soever they be, which have been paid to the Ministers, and which they have enjoyed and have been possessed of forty Years ; and every Person convicted of Substraction, Fraud, or Detention of the said Tythes, shall be adjudged to make

*Ch. V. Religion.* *adjudgé a Restitution, avec les frais & cour-  
stages de la partie; & pour la Conserva-  
tion de tous & chas-  
cun les Droits Béné-  
ficiaux, Dixmes, Ren-  
tes, Terres, & Pos-  
sessions, il y aura un Ter-  
rier fait par le Bailly  
& Jurétz, assistés du  
Doyen & Procureur  
du Roy.*

*30. Le Doyen au-  
ra Liberté de faire  
choix d'un Deputé ou  
Commissaire, lequel  
pourra excercer &  
suppléer la Charge &  
Office du Doyen en-  
tant que sa Commission  
le portera, & dont  
y aura Acte Authen-  
tique aux Rolles de la  
Court.*

make Restitution, and  
pay the Cost and  
Charges of the Par-  
ty; And for the pre-  
servation of all and  
singular the Rights,  
Tythes, Rents, Lands  
and Possessions Bene-  
ficiary, there shall be  
a Terrice made by the  
Bailly and Jurats, affi-  
sted by the Dean and  
King's Procurator.

*30. The Dean shall  
have Power to make  
choice of a Deputy  
or Commmissary, who  
shall execute and sup-  
ply the Place and Of-  
fice of the Dean so  
far as his Commissi-  
on shall extend, of  
which there shall be  
an Authentick Act  
in the Rolls of the  
Court.*

Des Surveillans,  
autrement dits  
Gardiens de l'  
Eglise.

Ch. V.  
Religion:

Of the Church-  
Wardens.

31. Chasque semaine après Pasques, le Ministre & les Paroissiens de chaque Eglise choisiront deux Surveillans, gens discrets, & de bonne Conversation, & des plus capables, sachans lire & escrire, s'il est possible. Que si les dits Paroissiens ne peuvent accorder en l'Election, le Ministre aura pouvoir d'en nommer un, & les Paroissiens l'autre, par la Majeure Voix d'iceux; & seront puis après Affermentés à la prochaine Court, & bien advertis de leur Devoir.

32. Le

31. Every Week next after Easter, the Minister and People of each Parish shall choose two Church-Wardens, discreet Men, of good Conversation and Capacity, able to read and write, if possible. But if they cannot agree in the Election, the Minister shall have Power to name one, and the Parishioners another, by the Majority of Voices; which two shall be after sworn in the next Court, and there well admonished of their Duty.

32. Their

Ch. V.  
Religion.

32. *Le Devoir d'i-  
ceux sera de voir que  
les Temples & Cime-  
tieres ne soient profanés  
par aucuns Exercices  
ou Actions profanes,  
comme aussy de ne per-  
mettre l'Entrée du  
Temple à aucun Ex-  
communié, duquel la  
Sentence à esté Publi-  
ée en leur Paroisse : Et  
seront soigneux de Pre-  
senter de temps en  
temps ceux qui neg-  
ligent les Exercices  
Publics du Service  
Divin, & l'Usage des  
saints Sacremens, &  
généralement tous De-  
lictis qui sont de Cog-  
noissance Ecclesiastique;  
& bailleront les dites  
Presentations sous leur  
signes, & ne pourront  
estre contraints de Pre-  
senter que deux fois  
par An.*

33. *Ils*

32. *Their Duty*  
shall be to see that  
the Churches and  
Church-yards be not  
abused by any pro-  
phane Exercises or  
Actions, as also not  
to suffer any Excom-  
municated Person  
to come into the  
Church, after the  
Sentence has been  
published in their Pa-  
rish: And they shall  
be careful to Present  
from time to time  
those that neglect the  
publick Exercises of  
Divine Service, and  
the Use of the Holy  
Sacraments, and ge-  
nerally all Delinquen-  
cies that are of Eccle-  
siastical Cognizance;  
Which Presentations  
they shall exhibit un-  
der their Hands, nor  
shall they be constrain-  
ed to Present above  
twice a Year.

33. *They*

33. *Ils auront soin pareillement d'entretenir le Temple en bonne Reparation, & les Cimetieres en bonne Closture; & de voir que toutes choses appartenantes à l'Eglise, à l'Administration de la parole & des Sacremens, soyent pourveues & entretenues de temps en temps; comme sont la Bible de la meilleure Translation & en plus grosses Lettres, le livre des Communes Prieres tant pour le Ministre que pour le Clerc ou Cousteur de la Paroisse, un livre de Parchemin pour Enregistrer les Baptesmes Mariages & Enterremens, une Table convenable pour Administrer la Sainte Cene, avec un Tapis*

33. They shall have care moreover to keep the Church in good Repair, and the Church-Yards well fenced; and to see that all things appertaining to the Church, the Administration of the Word and Sacraments, be provided and maintained from time to time; such are, a Bible of the best Translation and largest Character, the Book of Common-prayer both for the Minister and Clerk or Sexton of the Parish, a Book of Parchment to Register the Christnings Marriages and Burials, a decent Table to administer the Holy Supper, with a Carpet to cover it during Divine Service, Fonts for Baptism, Cups and Vessels serving only to that Use,

Ch. V.  
Religion.

**Ch. V.** *Tapis pour mettre sus*  
*Religion.* *durant le Service divin,*  
*des Fonds pour le Bap-*  
*tesme, Coupes, & Vais-*  
*seaux dédiéz seulement*  
*a cet Usage, Nappes,*  
*Serviettes, avec un*  
*Coffre pour retirer les*  
*dites Utenfiles, un*  
*Tronc pour les Aumos-*  
*nes, un Tapis & Carreau*  
*pour la Chaire, & pour-*  
*voyront aussy le Pain*  
*& le Vin de la Cène.*  
*Item, verront que les*  
*Bancs & Siéges soyent*  
*appropriés pour la*  
*Commodité du Mini-*  
*stre & des Paroissiens,*  
*& ce par l'advis &*  
*conseil de leur Mini-*  
*stre; & le tout des*  
*Rentes & Revenus du*  
*Thresor de l'Eglise.*

34. *Les dits Sur-*  
*veillans seront obligés*  
*de garder un bon &*  
*loyal*

Use, Table-cloths, Napkins, with a Coffer wherein to keep the said Utenfiles, a Trunk or Box for Alms, a Cloth and Cushion for the Pulpit, and shall also provide the Bread and Wine for the Sacrament. Moreover, They shall see that the Pews and Seats be well fitted for the Conveniency of the Minister and Parishioners, and that with the Advice and Council of their Minister; All this, out of the Rents and Revenues of the Treasury of the Church.

34 The said Church-  
 Wardens shall be obli-  
 ged to keep in a Book,  
 a good and faithful  
 Ac-

*loyal Compte dans un Livre de leur Mises & Recéptes, & de l'emploite qu'ils feront des Deniers du Thresor ; lequel sera banni de temps en temps selon la Coutume, & ce entre les mains des dits Surveillans, & Procureurs de la Paroisse, lesquels employeront le dit Thresor pour les Choses necessaires & convenables a l'Eglise, ou Bien Public ; se Gouvernans par l'Advis du Ministre & Principaux de la Paroisse en toutes choses Extraordinaires qui concernent la dite Paroisse ; & en cas d'Affaires Publiques, l'Assemblée des Estats leur prescrira ce qui sera trouvé expedient pour l'Utilité Publique :*

Account of their Disbursements and Receipts, and of the Use they shall make of the Moneys of the Treasury ; which shall be published ( in Order to be let out to Farm ) from time to time according to Custom, and that in the Name of the said Church-Wardens, and Procurators of the Parish ; who shall employ the said Treasury in things necessary and convenient for the Church, or the publick Occasions ; Governing themselves by the Advice of the Minister and Chief of the Parish in all things Extraordinary which concern the said Parish ; And in case of publick Business, the Assembly of the States shall prescribe to them what shall be found expedient for the common Good: And before

Ch. V.  
Religion.

Ch V.  
Religion.

que : & devant qu'estre  
deschargés donneront  
Advertissement aux  
Paroissiens pour oïr  
leur Comptes la Se-  
maine de Pasques, les-  
quels seront Signés par  
le Ministre & Princi-  
paux de la Paroisse :  
& si aucuns des dits Pa-  
roissiens, ou autres, re-  
fusent de payer les  
Rentes qu'ils doivent  
audit Thresor, les dits  
Procureurs & Surveil-  
lans, ou aucun d'iceux,  
les poursuivront par  
les voyes Ordinaires  
de Justice : Mais cas  
advenant de Contro-  
verse aux dits Accom-  
ptes, ou abus qui seroient  
à Reformer, le Doyen  
& Ministre de la Pa-  
roisse où la dite Contro-  
verse ou abus se trou-  
vera, se joindront a-  
vec

before they quit their  
Charge, they shall give  
notice to the Pa-  
rishioners that they  
may Audit their Ac-  
counts in *Easter-  
Week*, which Ac-  
counts shall be signed  
by the Minister and  
Chief of the Parish:  
And if any of the said  
Parishioners, or o-  
thers, refuse to pay  
the Rents they owe  
to the said *Treasury*,  
the said *Procurators*  
and *Church-Wardens*,  
or any of them, shall  
prosecute them by the  
ordinary Ways of Ju-  
stice: But in case of  
any Controversie a-  
bout the said Ac-  
counts, or of any A-  
buse to be reformed,  
The *Dean* and *Mini-  
ster* of the Parish  
where the said Con-  
troversie or Abuse  
shall be, shall, toge-  
ther with the *Bailly*  
and *Jurats*, deter-  
mine



*vec le Bailly & Jurés pour y donner Ordre convenable.*

mine it as shall be found convenient. CH. V. Religion.

35. *Lesdits Surveillans durant le Service Divin au jour de Dimanche visiteront les lieux suspects de Jeux & Dissolutions ; & ayans le Connestable pour les assister, visiteront paréillement les Tavernes & Maisons de Debauche.*

35. The said Church-Wardens during Divine Service on the Sunday shall search Places suspected of Gaming, idle and riotous Practices ; and having the Constable to assist them, shall also search Taverns, and scandalous Houses.

36. *Ils auront soin qu'il ny ait aucune Substraction. & recellement des choses appartenantes à l'Eglise ; comme aussy ils se pourront saisir, & poursuivre tous dons & Legats Mobilaires faits à l'Eglise & aux Pauvres, selon les loix du Pais.*

36. They shall be careful that there be no with-holding or concealing of things appertaining to the Church ; They may also seize into their Hands, or prosecute the Delivery of all Donations and Legacies Mobiliary made to the Church and Poor, according to the Laws of the Country.

37. Il

N

37. There

Ch. V.  
Religion.

37. *Il y aura deux Collecteurs des Aumosnes des Pauvres en chasque Paroisse, qui feront Office d'Assistans, & seront esleus comme les Surveillans; & auront serment en Court pour se bien comporter en leur Charge: & rendront compte de leur Administration deux fois l'An par devant le Ministre & Paroissiens, sçavoir est à Pasques & à la St. Michel.*

Des Clercs, ou  
Cousteurs.

38. *Les Clercs ou Cousteurs des Paroisses seront choisis par le Ministre & Principaux de la Paroisse, de l'age de XX ans pour le moins, de bonne vie &*

Con-

37. *There shall be Two Collectors of the Alms for the Poor in each Parish, who shall also discharge the Place of Sidesmen, and shall be chosen as the Church-Wardens; and shall be sworn in Court to behave themselves well in their Office: And shall give an Account of their Administration twice a Year, before the Minister and Parishioners, Viz. at Easter, and at Michaelmas.*

Of the Clerks, or  
Sextons.

38. *The Clerks or Sextons of the Parishes shall be chosen by the Minister and Chief of the Parish, and shall be of the Age of XX Years at the least, of good Life*

and

*Conversation, scachans  
lire posément, distin-  
ctement, & intelligible-  
ment, & escrire, &  
qui entendent aucune-  
ment le Chant des  
Pseaumes, s'il est possi-  
ble.*

39. *Leur Charge  
est d'appeller le Peu-  
ple par le son de la  
Cloche au Service Di-  
vin, & oïye de la Pa-  
role de Dieu, à heure  
propre & convenable  
suivant l'ordinaire;  
tenir le Temple fermé  
& net, comme aussy  
les Bancs & la Chaire;  
conserver les Livres  
& autres choses ap-  
partenantes à l'Eglise  
dont ils auront la  
Charge; pourvoir l'Eau  
pour le Baptisme, faire  
les Crieés & Denun-  
ciations qui leur seront  
enjointes*

and Conversation, a-  
ble to read fairly, di-  
stinctly, and intelli-  
gibly, and to write  
also, and fitted some-  
what for the singing  
of the Psalms, if it  
may be.

Ch. V.  
*Religion.*

39. Their Charge is,  
by ringing of the Bell,  
to call the People to  
Divine Service, and  
hearing of the Word  
of God, at a proper  
and convenient Hour,  
according to Custom;  
To keep the Church  
shut, and clean, as al-  
so the Pews and Pul-  
pit; To preserve  
the Books, and other  
things belonging to  
the Church, whereof  
they shall have the  
Custody; To provide  
Water for Baptism,  
and to make such  
Proclamations and  
Denunciations as shall  
be enjoined them by

N 3 the

Ch. V.  
Religion.

*enjointes par la Court, ou par le Ministre; & auront leur Gages & Salaires par la Contribution des Paroissiens, soit en bled, froment, ou Argent, selon l'Usage du Pais.*

### Des Maistres d' Eschole.

40. *Il y aura un Maistre d' Eschole en chasque Paroisse, choisi par le Ministre, Surveillans, & Principaux d' icelle, & par après présenté au Doyen pour estre Authorizé en cette Charge; & ne sera loisible à aucun de l' Exercer sans y estre ainsy apellé: & les Ministres auront join de les visiter, & exhorter à faire leur Devoir.*

41. *Ils*

the Court, or by the Minister; and shall receive their Wages and Salaries by the Contribution of the Parishioners, whether in Corn or Mony, according to the Custom of the Country.

### Of School-masters.

40. There shall be a School-master in every Parish, chosen by the Minister, Church-Wardens, and principal Persons thereof, and after presented to the Dean to be licensed thereunto; And it shall not be lawful for any to exercisethis Charge, not being in this manner called unto it: The Ministers shall take care to visit them, and exhort them to do their Duty.

41. They

41. *Ils useront de toute laborieuse diligence à Instruire les Enfants à lire, écrire, Prier Dieu, répondre au Catéchisme, les dui-  
ront aux bonnes Mo-  
eurs, les conduiront au Presche, & Prières Publiques, les y fai-  
sant comporter comme il appartient.*

### De la Court.

42. *La Court se tiendra une fois la Se-  
maine au Lundy, & observera les mesmes Termes de Vacations que la Court Civile.*

43. *A chasque Sé-  
ance, au Commencement d' icelle, les Noms des Assesseurs seront Inti-  
tulés, le jour, & le mois, & les Sentences leues.*

44. A-

41. They shall use Ch. V.  
all laborious Dili- Religion.  
gence to teach the  
Children to read, and  
write, say their Pray-  
ers, answer to the Ca-  
techism, they shall  
form them to good  
Manners, shall bring  
them to Sermon, and  
Common - Prayers,  
seeing them behave  
themselves there as  
becometh.

### Of the Court.

42. The Court shall  
be kept once a Week,  
on the Monday, and  
shall observe the same  
Terms and Vacations  
as the Court Civil.

43. At every Ses-  
sion, in the beginning  
thereof, the Names  
of the Assessors shall  
be enrolled, the Day,  
and the Month, and  
the Sentences peru-  
sed. N 3 44. Af-

Ch. V. 44. Après Jugement Religion. & Sentence donnée du Principal, les Coustages des Parties, & Substraction de Salaire aux Officiers de la Court, se poursuivant par les Confures Ecclesiastiques.

45. Il y aura deux Avocats deüement assermentés à la Court, afin que le Peuple puisse agir formellement & Juridiquement, sans Confusion ou Surprise. Et le Greffier aussy estant assermenté enregistrera fidèlement la Sentence qui aura esté prononcée, & baillera Copie des Actes à ceux qui le requerront.

46. Le Procureur du Roy, & en son Absence

44. After Judgment given in the principal Matter, the Costs of the Parties, and the Fees of the Officers of the Court, shall be awarded by the Ecclesiastical Censures.

45. There shall be two Advocates (or Proctors) duly sworn to the Court, to the end the People may proceed formally and juridically, without Confusion or Surprise. And the Greffier (or Register) being also sworn shall faithfully record the Sentence which shall be pronounced, and shall give Copy of the Acts to such as shall require it.

46. The King's Procurator, and in his Absence the Advocate,

ſeance l'Avocat, pour-  
ront aſſiſter de temps  
en temps a la Court,  
pour pourſuivre la  
Cenſure & Punition  
de toutes Cauſes de  
Crime & Scandale.

47. Pour exécuter  
les Citations & Sé-  
monces, le Doyen af-  
ſermentera les Cou-  
ſteurs des Paroiſſes, &  
un Appariteur, leſquels  
donneront fidèle Re-  
cord de leurs Exploits,  
en donnant Copie des  
Citations & Mandats  
Originels à ceux qui le  
requerront, & en ab-  
ſence de la Partie aux  
Domeſtiques ; & les  
Cauſes de la Compa-  
rence ſeront exprimées  
dedans leſdites Cita-  
tions, & Mandats.

cate, may be preſent Ch. V.  
from time to time in Religion.  
the Court, and there  
proſecute the Cen-  
ſure and Punishment  
of all Cauſes of Crime  
and Scandal.

47. For executing  
or ſerving the Citati-  
ons and Summons, the  
Dean ſhall ſwear the  
Clerks of the Pariſhes,  
and an Apparitor, who  
ſhall give a faithful  
Report of their Ex-  
ploits, giving alſo  
Copies of the Ori-  
ginal Citations and  
Mandats to ſuch as  
ſhall require them,  
or in the Abſence of  
them to their Dome-  
ſticks ; And the Cau-  
ſes of the Appearance  
ſhall be expreſſed in  
the ſaid Citations and  
Mandats.

Ch. V.  
Religion.

48. Si la Partie ne se trouve point, soit en se cachant, ou autre Collusion, la Citation sera affichée à l'huis du Temple Paroissial d'icelle, en cas qu'il n'ayt aucun Domicile, & ce en jour de Dimanche.

49. S'il parvient aux oreilles du Doyen par Relation de gens de bien, que quelqu'un vit notoirement en quelque Scandale, il en pourra avertir le Ministre & les Surveillans de la Paroisse, afin que s'en estant informés, ils Presentent telles personnes qui méritent d'estre punies ou Censurées.

50. Là où il constera de la faute commise

48. If the Party will not be found, as either concealing himself, or using some other Collusion, the Citation shall be affixed, in case he has no settled Habitation, on the Door of his Parish-Church, and that upon a Lord's Day.

49. If it comes to the notice of the Dean by the Report of honest Men, that any one liveth notoriously in some Scandal, he may advertise the Minister and Church-Wardens of the Parish, to the end that informing themselves thereof, they may Present such Persons as deserve to be punished or censured.

50. Upon good Proof of a Crime com-



*mise par quelque Ministre, le Doyen, après Monition réitérée, procédera à la Reformation par l'avis & Consentement de deux Ministres, jusqu'à Suspension & Sequestration; & en cas que ledit Ministre demeure Refractaire, le Doyen procédera, par le Consentement de la plus part des Ministres présents en l'Isle, jusqu'à Déprivation.*

51. *On ne fera point de Commutation pour Pénitence sinon avec grande Circonspection, ayant égard à la qualité des Personnes, & Circonstances des fautes; Et sera la Commutation enregistrée es Actes de la Court, pour estre employée*  
aux

committed by any Ch. V. Minister, the Dean, Religion, after repeated Admonitions, shall proceed to the Reformation of him, by the Advice and Consent of two Ministers, even unto Suspension and Sequestration; And in case the said Minister continues refractory, the Dean, by the Consent of the greater Part of the Ministers present in the Island, shall proceed even to Deprivation.

51. No Commutation shall be made for Penance but with great Circumspection, having regard to the Quality of the Persons, and Circumstances of the Crimes; And the Commutation shall be enrolled in the Acts of the Court, in order to be employed upon the Poor,  
and

*Ch. V. aux Pauvres, & usa-  
Religion. ges pieux, & dont Ac-  
comptes seront rendus  
selon ledit Registre.*

*§2. Après la premi-  
ere Defaute, la Non-  
comparence de ceux  
qui seront derechef ci-  
tés par Mandat sera  
reputée Contumace ;  
& si estaus cités  
par après en Pé-  
remptoire ils ne com-  
paroissent, on pourra  
procéder à l'encontre  
d'eux à l'Excom-  
munication. Que si  
dans le prochain jour  
de Court la Partie ne  
fait devoir d'obtenir  
Absolution, on procé-  
dera à la Publication  
de la Sentence, & Mi-  
neure Excommunica-  
tion, laquelle sera de-  
livrée au Ministre de  
la Paroisse pour en  
faire lecture à jour  
Solen-*

and in Pious Uses,  
whereof account shall  
be given according to  
the said Register.

§2. After the first  
Default, the Non-ap-  
pearance of such as  
shall be cited again by  
Mandate shall be re-  
puted Contumacy; And  
if being afterwards  
peremptorily cited they  
do not appear, they  
may be proceeded a-  
gainst by Excommuni-  
cation. If before the  
next Court-day the  
Party doesnot endea-  
vour to obtain Absol-  
ution, the Court shall  
proceed to the Publi-  
cation of the Sen-  
tence, and Minor Ex-  
communication, which  
shall be delivered to  
the Minister of the  
Parish to be read up-  
on some solemn Day,  
and in the hearing of  
the greater part of the  
Parishioners assem-  
bled ;

*Solennel, & à l'ouye de la plus part des Paroissiens assemblés ; Et la partie persistant en son Endurcissement, on procédera à la Majeure Excommunication, qui forclost le Pêcheur à Sacris & Societate Fidelium. Que si cette Censure ne sert pour l'induire à Obéissance, & se ranger dans le Terme de 40 jours, alors le Doyen par son Certificat authentique donnera Avertissement au Bailly & Jurétz de ladite Contumace, & les requerra en Assistance de sa Jurisdiction de le faire saisir par les Officiers Civils, pour le rendre Prisonnier en Détention Corporelle, jusqu'à ce qu'il se soit soumis, & obligé d'obtemperer à l'Ordonnance de l'Eglise ;*

*bled ; And the Party Ch. V, persisting in his Ob- Religion. stinacy, the Court shall proceed to the Major Excommunication, which excludes the Sinner à Sacris & Societate Fidelium. If this Censure cannot induce him to Obedience and Submission within the Space of forty Days, then the Dean by his Authentick Certificate shall give advice to the Bailly and Jurats of the said Contumacy, and shall require them in Support of his Jurisdiction to cause him to be seized by the Civil Officers, and constituted Prisoner, under Bodily Detention, till such time as he has submitted, and obliged himself to obtemperate to the Ordinance of the Church ; And before he be absolved, he shall be bound*

Ch. V. *glise; & devant qu'estre Religion. Absous, sera tenu de payer les frais & Costages de la poursuite de la Cause.*

53. *En Causes de Paillardise, sur la Presentation des Surveillans, avec les Probabilités, commun Bruit, Scandale, & Presumptions à ce requises, la partie sera sujette de subir le Serment de sa Purgation, ou autrement sera tenu pour Conuaincu.*

54. *En cas d'Adultere à l'Instance de Partie, on y procédera meurement par bonnes preuves & Informations, pour avoir Evidence du fait objecté; & le sujet & Preuve du fait le requerant, on pourra conclurre jusqu'à Séparation*

bound to pay the Costs and Charges of the Prosecution of the Suit.

53. In cases of Incontinency, upon Presentation of the Church - Wardens, together with Probabilities, common Fame, Scandal, and Presumptions in this Case requisite, the Party shall be subject to undergo Purgation upon Oath, or otherwise shall be held as if he were convicted.

54. In Cases of Adultery at the Instance of either of the Parties, the Proceedings shall go on maturely, by good Proofs and Informations, in order to have Evidence of the Fact objected; And the Subject, and Proof of the Fact

paration à Thoro & Mensâ.

Fact requiring it, the Court may proceed to Separation à Thoro & Mensâ. Ch. V. Religion.

55. Là où il y aura Calomnie ou Diffamation prouvée, on fera Reconnoissance des Injures selon l'Exigence du cas; pourveu que l'Action ne soit prescrite par lapse de temps, d'un an entier; & pourveu que le sujet de l'Action soit de Crimes Ecclesiastiques cy devant Specifiés.

55. Upon Proof of Calumny or Defamation, the Party guilty shall make acknowledgment of the injury according to the Exigency of the Case; provided the Suit be prosecuted before Lapse of Time, or that a Year be expired; and provided that the Matter of the Suit be of Crimes Ecclesiastical before specified.

### Des Appellations.

### Of Appeals.

56. Les Appeaux en Causes Ecclesiastiques seront ouïs & définis par le Révérend Père en Dieu l'Evesque de Winchestre en personne; & en cas de Va-

56. Appeals in Causes Ecclesiastical shall be heard and determined by the Reverend Father in God the Bishop of Winchester in Person; or in the Vacancy of that See, by the most Re-

ve-

Ch. V. *Vacance de ce Siège, Religion.* par le Très Révérend Père en Dieu l'Archevesque de Canterbury en personne.

57. *Tout Appel s'interjettera dans Quinze jours après Cognoissance de la Sentence, & sera la partie obligée de prendre & exhiber tout le Procès, & Actes du Registre, ou Rolles de la Court; & lesquels Actes aussy luy seront delivrés en forme & temps convenable, authentiqués sous le sceau de l'Office; & sera l'Appellant sujet de le poursuivre dans an & jour, aut Sententia lata stare compellitur.*

58. *Il ne sera licite d'Appeller qu'a prés*

verend Father in God the Archbishop of Canterbury in Person.

57. *All Appeals shall be entered within fifteen Days after notice of the Sentence, and the Party shall be obliged to take out and exhibit the whole Process, and Acts of the Register or Rolls of the Court; which Acts shall also be delivered to him in Form and Time convenient, authenticated under the Seal of the Office; And the Appellant shall be bound to prosecute his Appeal within a Year and a Day, aut Sententia lata stare compellitur.*

58. *It shall not be lawful to appeal but after Sentence Definitive*

*prés Sentence Définitive de la Cause, sinon pour ces deux égards; ou quand l'Interlocutoire est telle qu'elle met fin à la Cause; ou quand ladite Interlocutoire estant obéie elle apporte tel Damage irreparable à la partie qu'il ne peut estre amendé par Appel de la Définitive.*

*tive of the Cause, unless in these two Cases; either when the Interlocutory is such as puts an End to the Cause; or when the said Interlocutory being obeyed brings such irreparable Damage to the Party that he cannot be relieved by Appeal from the Sentence Definitive.*

Ch. V.  
Religion.

\* Table des Droits appartenants au Doyen & a ses Officiers pour toutes Causes Ecclesiastiques.

\* Here followeth a Table of Fees, not thought necessary to be Englished.

**P**our l'Approbation des Testaments où les Biens du Deffunct n'excéderont la Valeur de 50 l. Tournois, de claro, au Doyen 0; au Greffier pour l'Ecriture & Enregistrement 5 s. Pour l'Approbation des Testaments au dessus de la Valeur de 50 l. Tournois, au Doyen 20 s; au Greffier 10 s.

Pour

Ch V. *Pour Lettres d'Administration où les Religion. Biens du Deffunct n'excéderont la Valeur de 50 l. Tournois, de claro, au Doyen 0; au Greffier pour l'Ecriture de ladite Lettre, 5 s. Pour Lettres d'Administration au dessus de ladite Somme, au Doyen 30 s; au Greffier 10 s.*

*Pour Enregistrement des Inventoires des Biens des Pupilles là où ledit Inventaire ne se montera à 50 l. Tournois, au Doyen 0; au Greffe pour ledit Enregistrement 3 s. Pour Enregistrement des dits Inventoires excédants la Somme de 50 l. Tournois, au Doyen 20 s; au Greffe 10 s.*

*Pour Copie authentique desdits Testaments, Lettres d'Administration, ou Inventoires, au Doyen pour son Sceau 5 s. au Greffe 5 s. Pour le Compulsoire des Testaments, au Doyen & Appariteur 10 s.*

*Pour Dispense des Bans de Mariage, au Doyen 30 s.*

*Pour la Sequestration des Fruicts d'aucun Bénéfice, au Doyen 60 s. Pour Induction des Ministres, au Doyen 30 s.*

*Pour les Mandats & Citations, au Doyen 2 s. au Greffe pour l'Ecriture d'yceux, 1 s. à l'Appariteur pour exécuter les Citations ou Mandats, 2 s. 6 d. au Cousteur pour*



pour les Citations qu'il fera dans sa Paroisse, 1 s. Ch V. Religion.

Au Doyen pour l'Absolution de la Mineure Excommunication, 10 s. au Greffe 2 s. a l'Appariteur 2 s. 6 d. Au Doyen pour l'Absolution de la grande Excommunication, 20 s. au Greffier 5 s. a l'Appariteur 5 s.

Pour Causes entre Parties litigants, la Partie succombante payera les Salaires & Droits des Officiers, & 3 s. par Acte a la Partie, & a chasque Temoin produit en Court 3 s.

Aux Avocats de la Court pour chasque Cause qu'ils plaideront, 5 s. Au Greffe pour chasque Acte de Court, 1 s. Pour chasque premiere deffaute en Court, 1 s. Pour la Contumace, 3 s.

Suivant ce que dessus, est Ordonné que le Doyen & ses Successeurs, ou aucuns des Officiers qui sont à present, & seront par cy après, ne pourront directement ny indirectement lever, exiger, ou recevoir des

Habi-

Pursuant to what is above said, it is ordained that neither the Dean, nor his Successors, nor any of the Officers which are now, or shall hereafter be, shall either directly or indirectly raise, exact, or receive from the

O

Inha-

CHV.  
Religion.

*Habitants de ladite Isle autres Droicts & Salaires que ceux qui sont Specifiés en la Table cy dessus escripte. Plus outre est Ordonné que ce qui a esté par cy devant exercé & mis en exécution en ladite Isle, en quelques Causes que ce soit, par Vertu d'aucune Jurisdiction Ecclesiastique, demeurera pour abrogé, pour ne pouvoir estre tiré en Président par ledit Doyen ou aucuns de ses Successeurs à exercer ou Executer en temps à venir, contre ou outre la Tenueur desdits Canons à present conceüs & Ordonnés; Mais que le tout soit rapporté & limité au contenu desdits Canons &*

Con-

Inhabitants of the said Island, any other Fees or Salaries than those specified in the Table above-written. Moreover it is ordained that what has been heretofore done or put in Execution in the said Isle, in any Causes whatsoever, by virtue of any Ecclesiastical Jurisdiction, shall remain abrogated, and shall not be drawn into Precedent by the said Dean or any of his Successors, to exercise or execute the same in time to come, contrary or beyond the Tenor of the said Canons now conceived and ordained; But that all be referred to, and limited by the Contents of the said Canons and Constitutions Ecclesiastical. As also that there shall be no hindrance given by the Civil Magistrate in the

Constitutions Eccle-  
siastiques. Comme aussi  
ne sera donné aucun  
empeschement par le  
Magistrat Civil de la-  
dite Isle audit Doyen  
& ses Successeurs, en  
l'Exécution paisible de  
ladite Jurisdiction,  
au contenu d'iceux  
Canons, comme n'es-  
tans préjudiciables  
aux Privilèges, Loix,  
& Coustumes de ladite  
Isle, auxquelles n'est  
entendu déroger. Don-  
né sous nostre Signet  
(comme devant est  
dit) à nostre Palais  
de Greenwich, le der-  
nier jour de Juin,  
l'An de nostre Regne  
d'Angleterre, France,  
& Irelande le XXI<sup>me</sup>.  
Et d'Ecosse le LVI<sup>me</sup>.

the said Island to the Ch. V.  
said Dean and his Suc- Religion.  
cessors, in the peace-  
able Execution of the  
said Jurisdiction, ac-  
cording to the Con-  
tents of the said Ca-  
nons, as not being  
prejudicial to the  
Priviledges, Laws, and  
Customs of the said  
Isle, to which 'tis not  
intended to Dero-  
gate. Given under  
Our Signet ( as be-  
fore is said ) at Our  
Palace at Greenwich,  
the last Day of June,  
in the Year of Our  
Reign of England,  
France, and Ireland,  
the XXI<sup>th</sup>. and of  
Scotland the LVI<sup>th</sup>.

(Under Signed in the  
Original.)

\* George  
Abbot  
Arch-Bi-  
shop of  
Canterbu-

\*G. Cant. † Jo. Lincoln, C.S. || La. Winton.

ry. † John Williams Bishop of Lincoln, and Lord Keeper of the  
Great Seal. || Lancelot Andrews Bishop of Winchester.

## Ch. V.

*Religion.**Diocese.*

(x) *Vid.*  
*Suprà pag.*  
 115, 116,  
 &c.

(y) *Rotul.*  
*Insular.*  
*in Scaccar.*

These Islands were first in the Diocese of *Dol* in *Bretagne*, and so continued from the time of *St. Sampson* (x), till the coming of the *Danes* or *Normans* into *Neustria*, who falling out with the *Bretons* about the limits of their Territories, and a War ensuing thereupon betwixt them, withdrew these Islands from the Obedience of the British Bishop, and gave them a Bishop of their own, viz. that of *Constance* in *Normandy*, the lofty Towers of whose beautiful Cathedral (once our Mother Church) are seen from *JERSEY*. To this Bishop these Islands remained subject even after the Defection of *Normandy*, notwithstanding the frequent Wars betwixt the two Crowns, untill the Tenth Year of Queen *Elizabeth*. King *John* indeed having lost *Normandy* had once in an angry Mood, designed to annex them to the See of *Exeter* in *England* (y), but did not. It was the Change of Religion in these Islands that took away from the Popish Bishop of *Constance* his Jurisdiction over them: For then they were, by an Order of Council dated *March 11th. 1568.* transferred, and united to the Diocese of *Winton*.

Robertus

*Robertus Cenalis*, Bishop of *Auranches* in *Normandy*, imposes upon himself and his Readers, when he says that these Islands were sometime under his Predecessors, Bishops of *Auranches*. This certainly is a mistake; and must proceed from some Papers, which belike he found in the Archives of that Church, mentioning some Parcels of Tythes paid here in time past to the Bishops of his See.

Chap. V.  
*Religion.*

The Bishops of *Dol* and *Contance*, for the Exercise of their Authority, had, in each Island of *JERSEY* and *Guernzey*, a Commissary or Surrogate, called *Decanus*, the *Dean*: An Office of great Antiquity, since I find it mentioned in very old Records (2), and have reason to believe it as ancient as Episcopacy, and consequently as ancient as Christianity it self, in these Islands. To him those Bishops left the Cognizance of all Matters of Ecclesiastical Jurisdiction, reserving only to themselves Ordinations, Institutions, and Appeals. The same Power is vested in the present *Deans*, with this limitation, that they are to govern themselves by the Advice and Opinions of the rest of the Ministers, who are to be their constant Assessors, much after the manner of those ancient Presbyteries, or Councils of Priests, who sate with the Bishops in their Consistories, and assisted them in giving Judgment in all Causes brought before

Dean.  
(2) Clauf. 23.  
E. I. m. 6. Cedula. Edwardus, &c. Dilecto & Fideli suo, Henrico de Cobham, Custodi Insular. de Guerneseye, &c. GERSEY, Salutem. Quia accepimus quod Decanus Insulae nostrae de Genereye pradieta, super aliquibus quae spectant ad Jurisdictionem suam in eadem Insula per vos hactenus extitit impeditus, quo minus eam exercere possit, ut debet, Nolumus.

them. An excellent Government, and grounded on the Primitive Pattern.

*tes eidem Decano injuriari in hac parte, vobis Mandamus quod ipsam Decanum Jurisdictione sua pacifice uti permittatis, prout ea uti debet, & hactenus uti consuevit. Ita tamen quod nihil exerceat in prajudicium nostra Regia Dignitatis. Nosque super Causâ Impedimenti prædicti per vos eidem Decano sic illati, in proximo Parlamento sub Sigillo vestro distinxit & aperit reddatis certiores. Teste Meipso apud Westm. 26. die Augusti, Anno Regni nostri 23. Vid. Ryley's Placita Parliamentaria in Appendice pag. 468.*

Chap V.  
Religion.

*Want of Confirmation.*

When the Office of *Dean* was revived in *JERSEY* in the Reign of *K. James I.*, a Motion was made to give the said *Dean* the Power of a Bishop Suffragan within the Island: Appeals being still reserved to the Right Reverend Father in God the Lord Bishop of *Winchester*. I could never know why that Motion was rejected. But we daily see the necessity of such a Power, particularly in the want of *Confirmation* of Children after Baptism: That Apostolical Institution being thereby become altogether unpracticable amongst Us. Nor have we any way to supply that Defect but by taking great care (as we generally do) to have Children brought to publick Catechism, where, in the presence of God's Church, they renew their Baptismal Vow, and taking upon themselves the Obligations of Christianity, discharge their Sponsors of the Promise made for them at their Baptism. Upon which, and not before, we admit them to the Holy Communion.

The

The Patronage of all the Churches here, in time of Popery, belonged to several Great Abbots in *Normandy*, as to the Abbots of *St. Sauveur le Vicomte*, *Cherbourg*, *St. Michael*, *Blanche Lande*, &c. which Patronage, at the Reformation, was vested in the King, who has since made Cession of it to the Governor. It is he that presents now to all vacant Benefices in His Majesty's Right. But the Deanry continues of Royal Nomination, and is held by Patent under the Great Seal.

Chap. V.  
Religion.

Patronage of  
the Churches.

These Great *Norman* Abbots had not only the Nomination, but the Tythes also, of all the Parishes in this Island: A small Proportion, as the 3<sup>d</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, or 10<sup>th</sup> Sheaf of the said Impropriated Tythes being reserved for those that ministered at the Altar. These Impropriations, at the Dissolution of Monasteries in *England*, instead of returning to the Church, were annexed to the Crown, and are become part of the King's Revenue in the Island: Much the same Proportion as before being still allotted to the Incumbents; together with the *Novals* or *Desarts*, which are the Tythes of Lands that remained wast and untill'd at the Suppression of those Houses, but have been since converted into Arable.

Impropriations.

The following Scheme drawn out of the *Black-Book of* *Black-Book of Coutance* (like that in the *Ex-Coutance* *chequer*) will shew what that Proportion was, and what the King enjoys now in right of the dispossessed Abbots. O 4 Uni-

Chap. V.  
Religion.

*Universis præsentes Literas inspeturis, Officialis Constantiensis Salutem. Notum facimus quod nos ad Requestam Religiosorum Virorum Abbatis & Conventus Sancti Salvatoris Vicecomitis, visitavimus, legimus, & inspeximus, atque visitari, legi, & inspicere fecimus, quendam Librum in Domino seu Manerio Episcopali Constantiensi existentem, vulgariter Librum Nigrum nuncupatum, in quo vidimus & legimus nonnullas Clausulas, Ecclesias, & Beneficia Insulae JERSEY, & de eis cum præfato Libro Nigro collationem fecimus diligenter. Quarum quidam Clausularum Tenor sequitur de verbo ad verbum, & est talis.*

Ecclesia Sancti Breverlardi.

*Patronus, Abbas S. Salvatoris Vicecomitis, & percipit duas partes Garbarum, & Rector sextam. Abbatissa de Cadomo duodecimam ||. Abbatissa Vilmonasterii † duodecimam. Rector item habet sex Virgas Eleemosynæ. Et valet dicta Ecclesia Annis communibus XXX Lib. Turonens.*

|| Supp. ex  
MSS. Gall.  
† Villers C  
nivet. Diac.  
Sagienf.



Ecclesia Sancti Petri.

*Patronus, Abbas S. Salvatoris Vice-com. Et percipit medietatem Garbarum. Abbatissa Cadomensis quartam Garbam; & Abbatissa Vilmonasteriensis aliam quartam (exceptâ † carucatâ † MSS. Gall. de || Nobretez) Rector percipit novalia; & habet VIII Virgas Terræ Eleemosynæ; & valet XXX Lib. Turon.*

† MSS. Gall.  
Curuatâ.  
|| Id. Nobretez.

Ecclesia de Trinitate.

*Patronus, Abbas Cæsaris-Burgi. Abbas S. Salvatoris percipit sextam Garbam; Abbas Cæsaris-Burgi tertiam, & liberam Decimam. Episcopus Auritanus † medietatem Garbarum. Rector † The Bishop of Avranches. percipit novalia, & habet VIII Virgas Eleemosynæ; & valet communibus Annis XXX Lib. Turon.*

Ecclesia Beatæ Mariæ.

*Patronus, Abbas Cæsariensis. Abbas S. Salvatoris Vice-com. percipit sextam Garbam. Abbatissa Cadomensis*

Chap. V.  
Religion.

† Suppl. ex  
MSS. Gall.

sis & Monasterii † Villers *quartam partem Decimæ Garbarum. Rector percipit tertiam partem Garbarum; & habet XVI Virgas Eleemosynæ, & valet XXX Lib. Turon.*

*Ecclesia Sancti Iohannis.*

*Patronus, Abbas S. Salvatoris Vice-com. & percipit totam Decimam, & Ecclesia ibidem Prioratus ejusdem Monasterii. Et sunt ibi duæ Virgæ Eleemosynæ, & valet XXVIII Lib. Turon.*

*Ecclesia Sancti Audoeni.*

*Patronus, Abbas S. Michaelis in periculo Maris; & percipit ibi duas Garbas, & IV Lib. Turon. Abbatisa Cadom. & Monasterii Villers duodecimam Garbam. Abbas S. Salvatoris Vice-com. sextam Garbam. Rector habet IV Virgas Eleemosynæ, & valet XXX Lib. Turon.*

*Ecclesia Sancti Laurentii.*

*Patronus, Abbas de Blancâ Landâ; &*

& percipit tertiam partem Decimæ. Chap. V.  
 Abbas S. Salvatoris Vice-com. sextam. Religio.  
 Episcopus † Aurensis medieta- † Avranches.  
 tem. Rector habet XVI Virgas Elec-  
 mosynæ, & valet XXX Lib. Turon.

### Ecclesia Sancti Salvatoris.

Patronus, Archidiaconus Vallis Vi-  
 ris † in Ecclesiâ Constantiensi. Et est † Vauvert.  
 ibi Vicarius qui reddit Archidiacono  
 annuatim XX Lib. Turon. Dominus  
 Episcopus Constantiensis percipit me-  
 dietatem Decimæ; Archidiaconus ter-  
 tiam; Abbas S. Salvatoris Vice-com.  
 sextam. Et habet Vicarius XXIV  
 Virg. Eleemosynæ.

### Ecclesia Sancti Clementis.

Patronus, Abbas S. Salvatoris Vice-  
 com. Rector percipit quartam & quin-  
 tam Garbam. Abbas S. Salvatoris Vi-  
 ce-com. Abbatissa Cadom. & Mona-  
 sterii Villers, residuum. Et ibi XXIV  
 Virg. Eleemosynæ, & valet XL Lib.  
 Turon.

Eccle-

Chap. V.  
Religion.

Ecclesia Sancti Martini Veteris.

*Patronus*, Abbas Cæsariensis; & percipit ibi C. solid. de Pensione. Rector percipit tertiam partem Decimæ, & habet XXVI Virgas Eleemosynæ. Abbas S. Salvatoris Vice-com. sextam Garbam. Abbatissa Cadom. & Monasterii Villers quartam partem; & valet LXX Lib. Turon.

Ecclesia de Grovillâ.

† De l'Essay.  
Ord. Bened. in  
Diocæs. Constant.

*Patronus*, Abbas de Exaquio †; percipit quartam Garbam. Abbas S. Salvatoris Vice-com. sextam. Abbatissa Cadom. & Monasterii Villers, medietatem. Rector percipit nonam Partem, & habet XII Virgas Eleemosynæ. Et valet communibus Annis L. Lib. Turon.

† Suppl. ex  
MSS. Gall.

† [Ecclesia Sancti Helerii.

*Patronus*, Abbas S. Salvatoris Vice-com. & percipit medietatem Decimæ; ex quâ medietate percipit Rector quintam Garbam. Abbatissa Cadom. & Mo-

Monasterii Villers, *quartam partem. Re-* Chap. V.  
*stor habet . . . . Virgas Eleemosynæ, &* Religion.  
*valet XL. Lib. Turon.]*

*Quod autem vidimus & legimus hoc  
 Testamur. In cujus rei Testimonium si-  
 gillum magnum Curia Episcopalis Con-  
 stantiensis præsentibus duximus appo-  
 nendum. Datum Constantiæ, A.D. 1461.  
 6<sup>a</sup> Die Mensis Februarii.*

At present the best Revenue of the  
 Clergy arises from the Improvement of  
 Fruit-Trees and Cidar. But all Years are  
 not equally productive, nor does Cidar  
 bear always the same Price, which renders  
 the said Revenue very uncertain. By a  
 long and immemorial Prescription, the  
 Clergy of this Island have enjoyed an Ex- *Exemption*  
 emption from payment of *First-fruits*, and *from First-*  
*fruits.* *Annates*, or Tenths, to the King. The im-  
 propriated Tythes of the Parish of St. Sa-  
 viour, by special Grant from the Crown,  
 have been annexed to the Deanry.

To each Church belongs a Fund, or An- *Church-Trea-*  
 nual Revenue, of about 15 or 20 Quarters *suries.*  
 of Wheat-Rent, given in ancient Times  
 by Pious and Charitable Persons, for the  
 Support of those Fabricks, and other Sa-  
 cred and Religious Uses: But it is now  
 more generally applied to the Publick Ne-  
 cessities of the Island.

To

## Chap V.

*Religion.**Free-Schools.**Fellowships, &c.  
in Oxford.*

To supply the Church with able Men from among the Natives, there are two Publick-Free-Latin and Greek Schools, set up almost in the two Extremities of the Island, viz. *St. Magloire* (corruptly *St. Monelier*) and *St. Anastase*, or *Athanasie*, each of them being designed for the Instruction of the Youth of six Parishes. We have also three Fellowships, and five Exhibitions or Scholarships, in *Oxford*, belonging to *JERSEY* and *Guernzey* by Alternate Turns. The first Founded by *K. Charles I.* of Blessed Memory, induced thereunto by *Archbishop Laud*, who intended by those Encouragements to draw off our young Students from Foreign Universities, whither they generally went before, and from whence they too often returned with Minds very much prejudiced against the *Church of England*: The last, the bountiful Gift of the Reverend *Dr. Morley*, our late honoured Diocesan.

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## C H A P. VI.

*Convention of the Estates.*

**T**Hat common Observation, that in the Chap. VI.  
*Forms and Models of Government, a Convention*  
*little City differeth not from a great one (a), of the Estates.*  
 is verified by the Constitution and Practice  
 of this Island, where in a very small State, *(a) Aristot. Po-*  
 one may see the Figure and Image of a *lit. l. i. ὁ δὲν δια-*  
 great Empire. For here we have our Con- *φέρειν μεγάλην*  
*οικίαν ἢ μι-*  
*κράν πάλιν.*  
*ventionem trium Ordinum, i. e. Our Conventi-*  
 on, or Meeting, of the three Orders or E-  
 states of the Island, in imitation of those  
 August Assemblies known by that, or  
 some other Name, in great Kingdoms and  
 Monarchies. In a word, this Convention  
 is the shadow and resemblance of an English  
 Parliament ; being composed of the *Jurats, Members of the*  
 or Court of Justice, as the First and noblest States.  
 Body ; the *Dean and Clergy, as the Second ;*  
 and the *XII High-Constables, as the Repre-*  
*sentatives of the Commons: The King's*  
*Procurator, the Viscount, and the King's Ad-*  
*vocate, tho' they represent no Estate, being*  
 also admitted *propter Dignitatem.* This  
 Convention cannot be held but by Consent *Rules for their*  
 and Permission of the Governor, or of his *sitting.*  
 Deputy,

**Chap. VI.** Deputy, who has a Negative Voice therein; *Convention of the Estates.* as the Parliament cannot meet but at the Pleasure of the King, nor pass any thing into Law without his Royal Assent. The *Bailly* (or his Lieutenant) is the perpetual Prolocutor in these Meetings, as the *Speaker* is in Parliament; and every Member Present has Voice Deliberative. No *Estates* can be held without Seven of each Body, at the least; nor can Foreigners preferred to Benefices be Members of this Convention, unless naturalized; it not being thought safe to intrust Strangers with the Secrets of the Island, till they have given good Proof of their Affection to the Government they live under.

There has been some Dispute formerly about the Power claimed by the Governor in calling these Assemblies, and influencing their Debates by his *Negative Voice*. The result whereof was a Regulation of that Power by two Consecutive Orders of Council, in the Reign of K. James I, to this Effect:

Governor's  
*Negative Voice.*

First Order, Anno 1618.

— *There shall be no Assembly of the States without the Consent of the Governor, or, of his Lieutenant in his Absence. In which it is to be understood that the Governor, or his Lieutenant*



tenant in his Absence, have a Negative Voice; To the end it may be provided, that no Ordinance may be agreed upon prejudicial to his Majesty's Service, or the Interests of the People.

Chap. VI.

Convention

of the Estates.

Second Order, Anno 1619. Modifying the former.

--- For the better Explanation of the Article concerning the Assembly of the States, which was ordered not to be done without the Consent of the Governor, or of his Lieutenant in his Absence, it is now finally Ordered, for Causes made known unto Us, and for the avoiding of all future Question, that the foresaid Article shall continue in Force: with this Qualification, That if the Bailly or Justices shall require an Assembly of the States, the Governor shall not defer it above fifteen days; Except he have such cause to the contrary, either in respect of the Safety of the Island, or Our special Service otherwise, as he will answer to Us, or the Lords of Our Council; whereof he shall give as present Advice as possibly wind and weather may serve.

P

And

Chap. VI.  
Convention  
of the Estates.

--- And concerning the Governor's Negative Voice in the making of Ordinances, it is now also Ordered, that he shall not use his Negative Voice, but in such Points as shall concern Our special Interest ; the rather in regard that such Acts as are made in their Assembly are but Provisional Ordinances, and have no Power or Property of Laws until they be confirmed by Us.

Raising of Money.

The great Business of these Meetings is the raising of Money to supply publick Occasions. For as in England Money cannot be raised upon the Subject but by Authority of Parliament, so here, 'tis a received Maxim, that no Levies can be made upon the Inhabitants but by their own Consent, declared by their Representatives assembled in Common Council. Nor have the States a Power of themselves to Create new Subsidies or Imposts ; but only, upon extraordinary Emergencies, when the common Safety and Defence of the Island requires it, or Application must be made to the King by Persons sent over at the publick Charge, to Levy what they judge sufficient for those Uses, by fixed and equal Proportions, according to the ancient Rate. In these Assemblies, Accounts of the publick Revenue and Expences are stated and Audited :

Audited: Differences arising about the Chap. VI.  
 Disposal and Administration of the Church-*Convention*  
 Treasuries, are examined and determined: *of the Estates.*  
 Deputies are appointed to represent Our  
 Grievances, and sollicite Our Affairs at  
 Court: good and wholsom Ordinances a-  
 gainst Profaners of the Lord's day, Blas-  
 phemers of God's holy Name, common  
 Swearers and Drunkards, and other rio-  
 tuous and disorderly Persons, are made, and  
 enacted under severe Penalties: And, in a  
 word, all other Matters are transacted there-  
 in, as are thought to conduce most to preserve  
 the Honour and Reverence that is due to God  
 and to Holy Things; the Fidelity and Obedi-  
 ence we all owe to their Majesties, and those  
 that Act in Subordination to their Autho-  
 rity; the Peace and Tranquility, the Well-  
 fare and Happiness, of the whole Island. And  
 yet it must be confessed, that most of these  
 things are of the Competence and Jurisdiction  
 of the Court, but Our Magistrates think it  
 Prudential to take the Advice and Coun-  
 cil of these Assemblies, considering wisely  
 that their Concurrence must add a Force  
 and Vigour to these, and the like Sancti-  
 ons.

*Constables.*

I must not forget to observe that the  
*Constables*, who make so considerable a Bo-  
 dy in these Assemblies, and are the true and  
 proper Representatives of the People, are  
 Officers of better Account with us than they  
 are in *England*. They are generally Men

**Chap. VI.** of the best Qualifications in the respective  
*Convention* Parishes for which they serve; And the Of-  
*of the Estates.* fice it self is so far above Contempt, that 'tis  
 sought and Ambitioned by those whose Birth  
 and Abilities add at the same time a Credit  
 and a Reputation to it. The Office is Trien-  
 nial, tho' some continue in it much longer,  
 and to those that discharge it with Honour,  
 it is a step to the Magistracy.

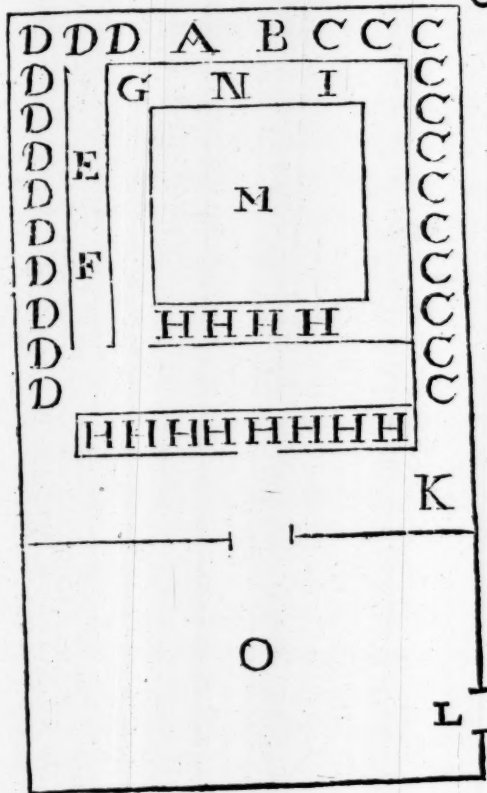
The following Scheme, with the Ex-  
 planatory Table here underneath, will shew  
 the manner of sitting in these Assemblies.

- A The Governor, or his Deputy.
- B The Bailly, or his Lieutenant.
- C C C C, &c. The XII Jurats.
- D D D D, &c. The Dean and Ministers.
- E } Their Majesties { *Procurator.*
- F } { *Advocate.*
- G The Viscount.
- H H H H, &c. The XII Constables.
- I The Greffier.
- K One of the Denunciators attending.
- L The Usher of the Court.
- M The Table.
- N A large Silver gilt Mace carried before  
 the Bailly and Jurats.
- O The Vestibulum.

*The*

*The States of the Isle of* JERSEY.

Chap. VI.  
Convention  
of the Estates.



## C H A P. VII.

*Priviledges.*

Chap. VII.  
*Priviledges.*

*Motives for our  
Priviledges.*

Few Places can boast of greater Priviledges than this Island. The Reasons alledged in the Preambles of Our Charters as the Motives inducing Our Kings to grant Us these Priviledges, are especially these Three 1. To reward Our Loyalty, and Fidelity, to the Crown of *England*. We have merited these Priviledges by Our good Services. 2. To engage Us to be Loyal and Faithfull still. We can have no Temptation, while we enjoy these Priviledges, to change Our Masters. 3. To make Our Condition easie and comfortable, which, under the Circumstances and Disadvantages of Our Situation, would otherwise be most intolerable. There would be no living in this Island (for English Subjects) without great Freedoms and Immunities: Which few would envy, if they knew at what price we purchase them.

Our want of Records beyond the Time of King *John* will not let Us know what were Our Priviledges under Our more ancient Dukes, and Kings, his Predecessors. From him therefore we must date the *Era* of Our Liberties and Franchises; And forasmuch

asmuch as his *Constitutions* are the Ground Ch. VII.  
and Foundation of all Our Subsequent *Priviledges*.  
Charters, I shall set them down here at  
large, as they are found among the Records <sup>K. John's Con-</sup>  
of that King's Reign in the Tower of Lon- <sup>stitutions.</sup>  
don, under this Title,

*Inquisitio facta de Servitiis, Consue-*  
*tudinibus, & Libertatibus Insul. de*  
*GERESE \* & Guernese, & Legibus* \* Rot. H. 3.  
*Constitutis in Insulis per Dominum Jo-*  
*hannem Regem, per Sacramentum Ro-*  
*berti Blondel, Radulphi Burnel, &c.*  
*qui dicunt, &c.* Then follows,

*Constitutiones, & Provisiones, Con-*  
*stitutæ per Dominum Johannem*  
*Regem, postquam Normannia alie-*  
*nata fuit.*

Imprimis, *Constituit Duodecim Co-*  
*ronatores Juratos, ad Placita, & Ju-*  
*ra ad Coronam spectantia, Custodienda.*

II. *Constituit etiam & concessit pro*  
*Securitate Insularium, quod Ballivus de*  
*cætero per Visum Dictorum Coronato-*  
*rum poterit Placitare absque Brevis de*  
*nova Disseisnâ factâ infra annum, de*  
*morte Antecessorum infra annum, de*  
*Dote similiter infra Annum, de Feodo*

Chap. VII. *invadiato semper, de incumbreo Ma-  
Priviledges. ritagii, &c.*

III. *Ii debent eligi de Indigenis  
Insularum, per Ministros Domini Regis,  
& Optimates Patriæ, scilicet post Mor-  
tem Unius eorum, alter fide dignus, vel  
alio casu legitimo, debet substitui.*

IV. *Electi debent jurare sine condi-  
tione ad manutenendum & salvandum  
Jura Domini Regis, & Patriotarum.*

V. *Ipsi Duodecim in quâlibet In-  
sulâ, in Absentiâ Justiciariorum \*, &  
unâ cum Justiciariis cùm ad Partes il-  
las venerint, debent Judicare de Om-  
nibus Casibus in dictâ Insulâ qualiter-  
cunque Emergentibus, exceptis Casi-  
bus nimis Arduis, & si quis Legitimè  
convictus fuerit à Fidelitate Domini  
Regis tanquàm Proditor recessisse, vel  
manus injecisse violentas in Ministros  
Domini Regis modo debito Officium ex-  
ercendo.*

\* Commissio-  
ners Royal.

VI. *Ipsi Duodecim debent Emen-  
das sive Amerciamenta omnium præmis-  
sorum Taxare, prædictis tamen Arduis  
Casibus exceptis, aut aliis Casibus in  
quibus secundum Consuetudinem Insu-  
larum merè spectat Redemptio pro  
Volun-*



*Voluntate Domini Regis & Curia* Chap. VII.  
*sua.* *Priviledges.*

VII. *Si Dominus Rex velit certiorari de Recordo Placiti coràm Justiciariis & ipsis Duodecim agitati, Justiciarii cum ipsis Duodecim debent Recordum facere; & de Placitis agitatis coràm Ballivo & ipsis Juratis in dictis Insulis, ipsi debent Recordum facere conjunctim.*

VIII. *Item, Quod nullum Placitum infrà quamlibet dictarum Insularum coràm quibuscunque Justiciariis inceptum, debet extrà dictam Insulam adjornari, sed ibidem omnino terminari.*

IX. *Insuper constituit quod nullus de libero Tenemento suo, quod per Annum & diem pacificè Tenuerit, sine Brevis Domini Regis de Cancellarià de Tenente & Tenemento faciente mentionem, respondere debeat, neque Teneatur.* [This was added to protect the Islanders against the Oppressions and Vexations of the then Governors. This Article is now grown out of Use.]

X. *Item, Quod nullus pro Felonià Damnatu extrà Insulas prædictas, hæreditates suas infrà Insulas forisfacere potest, quin hæredes sui eas habeant.*

XI. *Item,*

Ch. VII.  
Priviledges.

XI. Item, *Si quis forisfecerit, & abjuraverit Insulam, & postea Dominus Rex pacem suam ei concesserit, & infra Annum & diem abjuratationis revertatur ad Insulam, de hæreditate sua plenariè debet restitui.*

XII. Item, *Quod nullus debet imprisonari in Castro nisi in casu Criminali, vitam vel membrum tangente, & hoc per Judicium Duodecim Coronatorum Juratorum, sed in aliis liberis Prisonis ad hoc Deputatis.*

XIII. Item, *Quod Dominus Rex nullum Præpositum ibidem prohibere debeat, nisi per Electionem Patriotarum.* [This Article regards Guernesey only, where they have a Provost. In JERSEY we have a Viscount ; but these two Officers are much the same.]

XIV. Item, *Constitutum est quod Insulani non debeant coram Justiciariis ad Assisas capiendas assignatis, seu alia Placita tenenda, respondere, antequàm Transcripta Commissionum eorundem sub Sigillis suis eis liberentur.*

XV. Item, *Quod Justiciarii per Commissionem Domini Regis ad Assisas capiendas ibidem assignati, non debent tenere Placita in quâlibet dictarum Insula-*

rum ultra spatium trium Septimanarum.

Ch. VII.  
Priviledges.

XVI. Item, *Quod ipsi Insulani coram dictis Justiciariis post Tempus prædictum venire non tenentur.*

XVII. Item, *Quod ipsi non tenentur Domino Regi Homagium facere, donec ipse Dominus Rex ad partes illas, seu infra Ducatum Normanniæ venerit, aut aliquem alium per Literas suas assignare voluerit in iisdem partibus, ad prædictum Homagium, nomine suo, ibidem recipiendum.*

XVIII. Item, *Statutum est pro Tutitione & Salvatione Insularum & Castrorum, & maximè quia Insulæ propè sunt, & juxtà Potestatem Regis Franciæ, & aliorum inimicorum suorum, quod omnes Portus Insularum benè custodirentur; & Custodes Portuum Dominus Rex constituere præcipit, nè Damna sibi & suis eveniant.*

There are some other Articles, which being also grown out of Use, I purposely omit.

These Constitutions of K. John were afterwards renewed by his Son Henry III, in a Letter to Philip de Aubigny, Lord (or Govr.)

Chap. VII. Governor ) of these Islands, *Anno Regni 33 o.*  
*Priviledges.* By these *Constitutions* We have a Jurisdiction  
 established among our selves, and our Properties secured against vexatious Suits and Evocations into *England*.

Charter of  
 Edward III.

We have next the Charter of *Edward III*, which is only General, and Confirmative of former Grants.

—of Rich. II.

We have Two Charters of *Richard II*, The *First* General, and the same with that of *Edward III*, both contained in an *Inspecimus* of *Henry IV*. The *Second*, more Particular, exempting Us for ever from all manner of Taxes, Imposts, and Customs, in all Cities, Market-Towns, and Ports of *England*. *Quodque ipsi (viz. Insulani) & Successores sui in perpetuum, sint liberi & quieti in omnibus Civitatibus, Villis Mercatoriis, & Portibus infra Regnum nostrum Angliæ, de Omnimodis Thelonis, Exactionibus, Custumis, taliter & eodem modo quo fideles Ligei nostri in nostro Regno prædicto extiterunt.*

—of Edw. IV.

The Charter of *Edward IV* extends this Privilege to all Places within the King's Dominions beyond the Seas. *Concessimus eidem Genti & Communitati, quod ipsi, Hæredes, & Successores sui, sint liberi & quieti in omnibus Civitatibus, Burgis, Villis Mercatoriis, & aliis Villis, Portibus, & Locis infra Regnum nostrum*  
 An-

Angliæ, & *infra omnes Terras & Insulas nostras, citrà vel ultrà Mare sitas vel situatas, de omnibus Theloniis, Custumis, Subfidiis, &c.* There is also a Clause in this Charter that confirms all Our Ancient Rights, Liberties, and Franchises *infra Insulam*, i. e. within the Island; whereby is meant (among other Things) an Exemption and Immunity from all Taxes and Subsidies within the same; which Exemption is the Ancient Privilege of this Island, and has been peaceably enjoyed by Us to this Day. *Et etiam quod dicta Gens & Communitas ejusdem Insulæ de JERSEY, Hæredes, & Successores sui, habeant & gaudeant omnia Jura, Libertates, & Franchisas sua, infra eandem Insulam, &c.*

Chap. VII.  
Priviledges.

It were too long to mention the following Charters and Grants of *Henry VII, Henry VIII, Edward VI, Q. Mary, Q. Elizabeth*, and so down to our Time. In general, by them all the foregoing Priviledges are ratified, explained, and enlarged with ample Additions; and We are made equal in point of Commerce, with the rest of Their Majesties English Subjects.

--of Hen. VII.  
Hen. VIII.  
Edw. VI.  
Q. Mary.  
Q. Eliz. &c.

I shall insist somewhat longer on a very singular Priviledge, belonging to Us in common with the other Islands of this Tract; which is, a Freedom and Liberty of Trade

Notable Priviledge.

in

**Ch. VII.** in these Islands and the Seas adjacent, for  
*Priviledges.* Merchants of all Nations, in Time of War,  
 as well as in Time of Peace.

I shall first set down this Priviledge in the Words of our Charters, and then shall proceed to shew what has been said of it by Writers, and what appears thereof upon Practice.

† See the Char-  
 ters of Ed. IV.  
 Henry VII.  
 Henry VIII.  
 Edward VI.  
 Q. Elizabeth.  
 K. James I.  
 K. Charles I.  
 K. Ch. II. and  
 K. James II.  
 || Viz. de JER-  
 SEY.

— † *Cumque nonnulla alia Privilegia, Jurisdictiones, Immunitates, Libertates, & Franchisæ, per prædictos Progenitores & Predecessores nostros, quondam Reges Angliæ, & Duces Normanniæ, ac alios, præfatæ Insulæ || indulta, donata, concessa, & confirmata fuerunt, ac à tempore cujus contrarii Memoria hominum non existit, infra Insulam & Loca Maritima prænominata inviolabiliter Usitata & Observata fuerunt, de quibus unum est, quod tempore Belli, omnium Nationum Mercatores, & alii, tam alienigeni quam indigeni, tam hostes quam amici, liberè, licitè, & impunè, queant, & possint, dictam Insulam & Loca Maritima cum Navibus, Mercibus, & Bonis suis, tam pro evitandis Tempestatibus, quàm pro aliis licitis suis Negotiis inibi peragendis, adire, accedere,*

dere, commeare, & frequentare, & libera Commercia, Negotiationes, ac rem Mercatoriam ibidem exercere, ac tutò & securè commorari, inde recommeare, ac redire toties quoties, absque damno, molestiâ, seu hostilitate quâcunque, in rebus, mercibus, bonis, aut Corporibus suis; idque non solum infrâ Insulam, Loca maritima prædicta, ac præcinctum eorundem, verùm etiam infrâ Spatia undique ab eisdem distantia usque ad visum Hominis, id est, quatenus visus oculi posset assequi; Nos eandem Immunitatem, Impunitatem, Libertatem, ac Privilegium, ac cætera omnia præmissa, ultimò recitata, rata grataque habentes, ea pro Nobis, Hæredibus, & Successoribus nostris, quantum in nobis est, præfatis Ballivo, & Juratis, ac cæteris Incolis, Habitatoribus, Mercatoribus, & aliis, tam Hostibus quàm Amicis, & eorum cuilibet, per Præsentes indulgemus, & elargimur, Authoritate nostrâ Regiâ renovamus, reiteramus, & Confirmamus, in tam amplius modo & formâ prout prædicti Incolæ, & Habitatores Insulæ prædictæ, ac prædicti Indigeni, & Alienigeni, Mercatores, & alii, per antea usi  
vel

Ch. VII.

Priviledges.

Chap. VII. *vel gavisi fuerunt, vel uti aut gaudere Priviledges. debuerunt: Universis igitur & singulis Magistratibus, Ministris, & subditis nostris, per Universum Regnum nostrum Angliæ, ac cætera Dominia, & Locos Ditioni nostræ subjecta, ubilibet constitutis, per Præsentes denunciamus, ac firmiter injungendo præcipimus, ne hanc nostram Donationem, Concessionem, & Confirmationem, seu aliquod in eisdem expressum aut contentum, temerariè infringere, seu quovis modo violare, præsumant. Et si quis ausu temerario contra fecerit, seu attemptaverit, Volumus & decernimus, quantum in nobis est, quod restituat non solum ablata, aut erepta, sed quod etiam pro Dampno, Interesse, & expensis, ad plenariam recompensam & satisfactionem compellatur, per quæcunque Juris nostri Remedia, severèque puniatur, ut Regiæ nostræ Potestatis, ac Legum nostrarum contemptor temerarius.—*

This is such a Priviledge as can hardly be parallell'd in any Age.

Add now to this the concurring Testimony of Writers, Strangers as well as *English*, who have treated of the Affairs of these Islands, and who all own and assert this Priviledge, in its full Extent and Latitude.

The



The Book Intituled *Les Us & Coutumes Chap. VII. de la Mer* (i. e. The Uses and Customs of Priviledges. the Sea) Published by Authority, and Printed at Rouen, An. 1671, speaking of Prizes made against Laws agreed on by the Consent of Nations, and consequently to be adjudged Null, says (b) that such are those that are made in Priviledged Places [en lieu d'Azyle, ou de Refuge] And such Places, he adds, are the Isles and Seas of GERZAY and Grenezay on the Coast of Normandy, where the French and English, whatever War may be betwixt the two Crowns, are not to insult, or prey upon each other; so far as the said Islands can be discovered at Sea.

(b) *illme Paris. Art. XXL §. 6. pag. 357.*  
Dabondant si la Prise a esté faite en Lieu d'Azyle ou de Refuge, comme sont les Isles & mers de GERZAY & Grenezay,

en la Coste de Normandie, auxquelles les François & Anglois, pour quelque Guerre qu'il y ait entre les Deux Couronnes, ne doivent insulter, ou courre l'un sur l'autre, tant & si loin que s'estend l'Aspect ou la Veüe desdites Isles.

The Learned Mr. Camden owns this Priviledge, (c) tho' by a mistake he applies it to Guernezey only. *Veteris etenim Regum Angliæ Privilegio* (says he) *Perpetuæ hîc sunt quasi induciæ, & Gallis aliisq; quamvis Bellum exardescat, ultrò citròque huc sine periculo venire, & Commercium securè exercere, licet.*

(c) *De Insul. Brit. pag. 855.*

That profound Antiquary, Mr. Selden, in (d) *Lib. II. his Mare Clausum*, mentions this Priviledge twice (d), and urges it as an Argument to prove his Hypothesis touching the King of

*Cap. XIX. pag. 376. Et iterum Lib. II. Cap. XXII.*

Q

*Eng- pag. 412, &c.*

Chap. VII. *England's Dominion over the Narrow Seas: Priviledges.*

† JERSEY.  
|| Guernzey.

*Neque enim facile conjectandum est, unde-  
nam Originem habuerit Jus illud In-  
duciarum singulare ac perpetuum, quo  
† CÆSAREÆ, || Sarniæ, cæterarumq;  
Insularum Normannico Littori præja-  
centium Incolæ, etiam in ipso Mari fru-  
untur, flagrante utcunque inter Circum-  
vicinas Gentes Bello, nisi ab Angliæ  
Regum Dominio hoc Marino derivetur.*

— This Learned Man had taken great pains to search and inspect Our Charters among the Records in the Tower, and remained satisfied of the Validity of this Priviledge.

(s) Survey.

Ch. 1. pag. 300.

Dr. Heylin speaks thus of it (e), tho' by a Mistake common to him with Mr. Cambden, he thought this Priviledge belonged only to Guernzey. *By an Ancient Priviledge of the Kings of England, there is with them in a Manner a continual Truce; and lawfull it is both for French-men, and for others, how hot soever the War be followed in other Parts, to repair hither without Danger, and here to Trade in all Security. A Priviledge founded upon a Bull of Pope Sixtus IV, the 10<sup>th</sup>. Year, as I remember, of his Popedom; Edward IV then Reigning*  
in

in England, and Lewis XI over the Chap VII.  
 French. By virtue of which Bull, all *Priviledges*  
 those stand ipso facto excommunicate,  
 which any way molest the Inhabitants of  
 this Isle of Guernzey, or any which  
 resort unto their Island, either by Pira-  
 cy, or any other Violence whatsoever. A  
 Bull first published in the City of Con-  
 stance, unto whose Diocese these Islands  
 once belonged, afterwards verified by  
 the Parliament of Paris, and confirmed  
 by Our Kings of England till this Day.  
 The Copy of this Bull I my self have seen,  
 and something also of the Practice of it  
 on Record; by which it doth appear, that  
 a Man of War of France having taken  
 an English Ship, and therein some Pas-  
 sengers and Goods of Guernezey, made  
 Prize and Prisoners of the English, but  
 restored those of Guernezey to their Li-  
 berty, and to their Own.

The Bull of *Sixtus IV* is not the Ground  
 and Foundation of this Priviledge, (as the  
 Doctor misunderstandeth it.) But on the  
 contrary the Priviledge was the Ground and  
 Occasion of the Bull, as appears from the  
 Bull it self. For *K. Edward IV* being in-  
 formed of a great many Infractions made to  
 this Priviledge, by Pyrates and others prey-

Chap. VII. ing upon Merchants as they resorted to these  
*Priviledges.* Islands purely on the Account of Trade,  
 caused his Ambassadors at *Rome* to move the  
 Matter to the Pope, whose Censures were  
 much regarded in those Days. And thus  
 the Bull was procured, and is indeed a  
 Terrible One. The King commanded it to  
 be notified and published throughout his  
 Dominions, strictly injoyning the Observa-  
 tion of it to all his Subjects. And by Or-  
 der of *Lewis XI*, and *Charles VIII*, Kings  
 of *France*, it was verified by the Parliament  
 of *Paris*, and proclaimed in a very solemn  
 manner in all the Ports of *Normandy*, as it  
 had been before in those of *Bretagne*, à son  
*de Trompe*, i. e. with Sound of Trumpet,  
 by *Francis II*, the last Duke of that Coun-  
 try. We have it still extant in an *Inspexi-*  
*mus* of *K. Henry VIII*, under the Great Seal  
 of *England*, now in my Custody. 'Tis a  
 Piece of a very extraordinary Nature, and  
 that shews better than any thing I have seen  
 the Style of the Court of *Rome* in those  
 Days: But 'tis somewhat too long to be in-  
 serted here.

It remains now that we shew something  
 of this Priviledge upon Practice.

Anno 1523. A Ship of *Guernezey* being  
 taken by a Privateer of *Morlaix*, during the  
 War betwixt *Henry VIII* of *England*, and  
*Francis I* of *France*, and carried into *Mor-*  
*laix*, was, by Order of the Count de *Laval*

Governor of *Bretagne*, released upon Plea of this Priviledge †.

Chap. VII.  
Priviledges.

Anno 1524. A Prize made by one *Pointy*, and brought into JERSEY, because made within the Precincts of the Island, and therefore contrary to this Priviledge, was, in an Assembly of the States, the Governor and the King's Commissioners present, pronounced Tortionary, and Illegal, and *Pointy* adjudged to make Restitution.\*

† MSS. *points*  
*me.*

\* *Vid. Acts of*  
*the States.*

Anno . . . . . Sir *Edward Seymour*, Viscount *Beauchamp*, afterwards Duke of *Somerset*, and Lord Protector, being Governor of this Island, some English Privateers came into the Port of *St. Aubin*, and finding there several *French* Merchant Men that were come hither under the Security of this Priviledge, would have made Prize of them, but they were opposed by the Deputy Governor, who Protected the Merchants, and raising the Militia forced the Privateers to depart out of the Island.

|| *Chronique*  
MSS. de l'Isle  
de GERSEY.  
*Chap XXV.*

Anno 1614. In a Plea before the Parliament of *Bretagne*, in behalf of Three JERSEY-Merchants taken by the *French*, it was declared that these Islands had the Priviledge *de rester neutres pendant les Guerres d'entre les deux Royaumes*.\*

\* This Plea is  
in Print.

Anno 1628. A Bark laden with Goods from *St. Malo*, and directed to one *Baillebache* an Inhabitant of JERSEY, was in the Road set upon by one *Barker*, Captain of an English Privateer. The Court ordered

**Chap. VII.**  
**Priviledges.**

† *Vid. Acts of*  
*the Court.*

dered the Bark to be restored, pursuant to this Priviledge †.

*Lastly*, during the War of *Rochel* and the Isle of *Rhee*, the *Hosiers* of *Paris* and *Rouen* had free Access to these Islands, and carried away many Bales of Stockings, as those of *Contance* have since done almost down to Our Time ; Our Ports being open to all that came to Trade with Us in a peaceable Way.

Thus much of Our Priviledges. Of which I shall only add, that as they are derived to Us from the Grace and Bounty of Our Kings, and require all the Returns that we can make of an inviolable Fidelity to Their Crown and Government, so we hope, by Their Majesties Favour, and while we cannot be justly charged with any thing contrary to Their Majesties Service and Our Duty, (and these Priviledges seem not inconsistent with the same) to be continued and maintained in the quiet Possession of them.

**T H E E N D .**

*Alga eo v'isiois Oeo, Kal imi*  
*ins 'Eghm.*

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## ADVERTISEMENT.

SERMON sur l'Hymne Angélique & Eucharistique (Luc. 2. 14. *Gloire soit a Dieu aux Cieux très-hauts, & en Terre Paix, envers les hommes bonne volonté.*) Prononcé dans l'Eglise de St. Sauveur en l'Isle de JERSEY, le 3<sup>me</sup>. jour d'Avril 1687, jour de Cène. Par PHILIPPE FALLE, Maître aux Arts és Universités d'Oxford & de Cambridge, &c.

A SERMON Preached at St. Helier in the Isle of JERSEY, before the GARRISON, April 10. 1692. (Luke 3. 14. *And the Soldiers likewise demanded of him saying, And what shall we do? And he said unto them, Do violence to no man, neither accuse any falsely, but be content with your Wages.*) By PHILIP FALLE M. A. Rector of St. Saviour in the said Island. Printed for John Newton, at the Three Pigeons, over against the Inner-Temple-Gate, in Fleet-Street, 1692.

**Books Printed for, and sold by John  
Newton, at the Three Pidgeons over  
against the Inner-Temple Gate in  
Fleetstreet.**

1. **T**HE History of the Campagne in the Spanish Netherlands, Anno Dom. 1693. with an exact Draught of the several Attacks of the French Line, by the Duke of *Wurtemberg* with the Detachment under his Command, done upon Cooper: By *Edw. Daurigen* M. A. Rector of St. *Berlard* in the Isle of *Jersey*, and Chaplain to Their Majesties Regiment of Scots-Guards.

2. A Charge given at the General Quarter Sessions of the Peace for the County of *Surry*, holden at *Darking*, on *Tuesday* the 5th. day of *April* 1692. and in the 4th. Year of Their Majesties Reign: By the Honourable *Hugh Hare* Esquire, one of Their Majesties Justices of the Peace for that County.

3. A Letter to Dr. *South* upon occasion of a late Book Entituled, *Animadversus upon Dr. Sherlock's Book in Vindication of the Trinity*.

4. A Discourse of Natural and revealed Religion in several Essays: By Mr. *Tim. Nourse*.

5. The Anatomy of the Earth, Dedicated to all Gentlemen Miners: By *Tho. Robinson* Rector of *Ousby* in *Cumberland*.

**E R R A T A.**

pag. 9. lin. 11. for *Edward*, r. *Edward*. pag. 30. in the Margin, lin. 4. for *K.CHARL.* r. *K.CHARL. I.*  
pag. 49. lin. 14. for, *did not good Service.* r. *did that good Service.* pag. 62. in the Margin. Not. lin. 2. for, *Insula arenæ sive Sabulo quod erat*, r. *Insula arena sive Sabuli quæ erat.* pag. 76. lin. 11. for *Lan* on r. *Lauson*. pag. 141. in the French Column, lin. 10. for *Sacrament*, r. *Sacrament*. pag. 183. in the Marginal Not. lin. 23. for *Jurisdictionem*, r. *Jurisdictionem*. pag. 184. Margin. Not. lin. 4. for *Jurisdictione* r. *Jurisdictione*.



